

**Security Council**

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**Report of the Secretary-General on the deployment of the
African Union-United Nations Hybrid Operation in Darfur****I. Introduction**

1. The present report is submitted pursuant to paragraph 17 of Security Council resolution 1828 (2008), of 31 July 2008, by which the Council requested me to report every 60 days after the adoption of the resolution on the deployment and operations of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the political process, the security and humanitarian situation in Darfur and the compliance of all the parties with their international obligations. The report covers the months of December 2008 and January 2009.

II. Deployment of UNAMID

2. As at 31 January 2009, the total strength of UNAMID military personnel stood at 12,541, including 11,893 troops, 387 staff officers, 181 military observers and 80 liaison officers. This figure represents 64.13 per cent of the mandated strength of 19,555 personnel. The expansion of UNAMID's military component during the reporting period was due to the arrival of an infantry battalion, a multirole logistics unit, a transport company and a reconnaissance company all from Ethiopia and an engineering company from Pakistan.

3. The strength of UNAMID police personnel stood at 2,639 (1,940 police advisers and five formed police units totalling 699 personnel), representing 41.02 per cent of its mandated strength of 6,432. The increase in police deployment was due to the arrival of two formed police units of 140 personnel each from Nigeria in December 2008.

4. As at 31 January 2009, the number of civilian personnel stood at 3,129 out of an approved strength of 5,557, representing 56 per cent of authorized capacity. This includes 855 international staff, 2,013 national staff and 261 United Nations Volunteers. There are also 311 additional staff members (103 international, 71 national and 137 United Nations Volunteers) under recruitment and 120 new staff on travel status. UNAMID continues to face serious challenges in recruiting and retaining staff because of the security risks and threats involved in working in Darfur, as well as the harsh living and working conditions. During the reporting period, 15 staff members departed UNAMID owing to resignation, reassignment or completion of appointment. In addition, since the establishment of the mission, 109 selected candidates have declined offers of appointment.



5. The rotation of the 10 former African Union Mission in the Sudan infantry battalions that began in October 2008 has been completed. Additional contingent-owned equipment for six of these battalions is scheduled to arrive in the first half of 2009. In order to bring all battalions to the required United Nations standard strength of 800 personnel, additional personnel arrived at the time of the rotation, and eight battalions are now at full strength. It is expected that the two remaining battalions, from Senegal and South Africa, will be at full strength by March and May 2009 respectively.

6. The pace of movement of equipment from El Obeid and Port Sudan improved greatly with the arrival of one L-100, one AN-12 and one IL-76 aircraft under the bridging arrangement for temporary air support and two IL-76 mission aircraft on long-term charter. These aircraft are undertaking intense operations to ferry loads for further distribution by surface or rotary-wing aircraft to outlying locations. This effort of aerial delivery is being supplemented by road and rail movements and using door-to-door shipment contracts. Consequently, considerable progress has been made in delivering contingent-owned equipment and United Nations-owned equipment to different locations within the mission.

7. The airlift of oversized cargo from Rwanda at no charge to the United Nations by the United States of America on 15 and 16 January 2009 was a welcome initiative that helped to ensure the delivery of urgently required heavy logistics vehicles for the Rwandan contingent. This equipment enabled the contingent to perform the critical task of moving other pieces of equipment in the region. Owing to the absence of good roads into Darfur, I encourage other Member States to follow this support initiative for strategic and urgent airlift of contingent-owned equipment.

8. The deployment of military engineering units, the hiring of local employees who had previously worked for the former logistics contractor, Pacific Architects and Engineers, and the engagement of local contractors have greatly enhanced the mission's engineering capacity. In addition, UNAMID is working with the United Nations Office for Project Services on a memorandum of understanding to enhance UNAMID's capacity to construct community policing centres.

9. Despite the arrival of additional troops and enabling units, the mission's actual operational impact has been limited by logistical constraints, inadequate supply of critical equipment and the continued absence of key military enabling units such as the medium transport units, an aerial reconnaissance unit, a level-II hospital and 18 medium utility helicopters. In this context, the offer of five tactical helicopters by Ethiopia represents a welcome development.

10. One area of particular concern relates to the readiness to deploy personnel by troop- and police-contributing countries. A wide range of contingent-owned equipment still needs to be procured by a number of these countries. In addition, personnel need to be adequately trained and prepared prior to deployment and capacity, systems and materials for maintaining contingent-owned equipment in Darfur must be put in place and remain fully operational for units to sustain themselves. In this regard, the state of maintenance of contingent-owned armoured personnel carriers is of particular concern and needs to be improved to provide robust mission force mobility.

11. The troop-contributing countries that are currently preparing to deploy or are in the process of deploying units or contingent-owned equipment to UNAMID are

Burkina Faso, Egypt, Ethiopia, Nepal, Nigeria, Rwanda, Senegal, South Africa, Thailand and the United Republic of Tanzania. The police-contributing countries that are projected to deploy formed police units to the mission are Bangladesh, Burkina Faso, the Congo, Egypt, Indonesia, Jordan, Nigeria, Senegal, Togo and Uganda. The deployment of these military and police units will provide UNAMID with operational capabilities required for the effective implementation of the mission's mandate. I am particularly concerned about the early deployment of the infantry battalions from Burkina Faso, Ethiopia, Senegal, Thailand and the United Republic of Tanzania, which, taken together, would constitute a significant increase in the mission's troop strength and thus its protection capability and ability to implement its core mandated tasks. I call on these countries to take urgent steps to accelerate the deployment of the battalions and have directed the Department of Peacekeeping Operations and the Department of Field Support of the Secretariat to take all steps required to facilitate the predeployment preparations of troop- and police-contributing countries.

12. Many of the troop- and police-contributing countries require donor assistance in procuring the equipment needed to accelerate their deployment. I therefore strongly appeal to Member States to provide the necessary support for the deployment of these units.

13. As stressed in my previous report, the deployment of personnel and contingent-owned equipment to UNAMID is a complex and time-consuming process, which is further complicated by insecurity and political uncertainty in Darfur. While ensuring that their military and police personnel are adequately trained and equipped to contribute effectively to UNAMID's operations, troop- and police-contributing countries must also work to ensure that these personnel and their contingent-owned equipment arrive in the mission area with minimum delay. The Secretariat continues to emphasize this issue with troop and police contributors as a matter of priority.

14. Recognizing the need for enhanced logistical support of the mission from outside the mission area, on 23 January 2009 UNAMID established a liaison office in Entebbe, Uganda. I would like to thank the Government of Uganda for the support it has extended to UNAMID. The office will expand considerably the logistical infrastructure and structure of UNAMID and will contribute to facilitating the implementation of its mandate.

Tripartite Committee for the deployment of UNAMID

15. The Tripartite Committee on UNAMID, consisting of representatives of the Government of the Sudan, the African Union and the United Nations, held its third periodic consultation in Addis Ababa on 19 January 2009. A memorandum of understanding on air operations was signed at the meeting, enabling UNAMID to make more effective use of Sudanese airport infrastructure in order to accelerate its deployment process. In particular, it was agreed that UNAMID would be permitted to fly its IL-76 aircraft to the newly constructed airport in El Geneina three times per week. Furthermore, the agreement on UNAMID's ability to conduct air operations around the clock from the three principal airports in Darfur was confirmed and will be implemented as facilities are upgraded. For its part, UNAMID will accelerate its work to rehabilitate the three main airports in Darfur to ensure safe and sustainable air operations.

16. During the meeting, the Government of the Sudan asked UNAMID to accelerate its capacity-building of the Sudanese police to enable it to better meet security expectations. In that context, the Government reiterated its commitment to protect the United Nations and other humanitarian actors. The Government also agreed to UNAMID's request to extend police protection to UNAMID camps in El Fasher, Nyala and El Geneina.

17. As regards a United Nations broadcast radio system for Darfur, the mission has received initial verbal approval for the allocation of a specific FM frequency pending final licensing. A note verbale officially requesting a broadcast licence for UNAMID radio was submitted on 21 January, along with all the required technical documents, to the Government of the Sudan, which has yet to respond. As this process could be quite lengthy, the issue will be followed up at the Tripartite Committee level to ensure its rapid resolution.

18. The Government of the Sudan, the African Union and the United Nations noted the progress achieved towards facilitating the deployment and operations of UNAMID in recent months and acknowledged the positive role that the Tripartite Committee had played in that regard. It was agreed that the next meeting of the Committee would be held in Khartoum during the first quarter of 2009.

III. UNAMID operations

19. The security level in Darfur remains at phase IV. In addition to the volatile and unpredictable environment in Darfur, criminal activity targeting UNAMID staff and premises continued during the reporting period and posed the greatest direct threat to UNAMID and the humanitarian community working in Darfur.

20. During the reporting period, UNAMID has put in place mitigating measures to reduce the incidence of carjacking of UNAMID vehicles. These measures include the establishment of a carjacking investigation team in El Fasher and plans to establish similar investigation teams in other sectors. In addition, as of early December, the Indonesian formed police unit has been conducting daily patrols in the vicinity of UNAMID premises in El Fasher and in strategic areas of the town. Security enhancements for El Fasher, El Geneina and Nyala supercamps are in progress.

21. Nevertheless, carjacking incidents increased significantly in Northern Darfur, in particular in El Fasher. A number of worrying developments have been recorded. One UNAMID staff member lost his life owing to injuries he sustained during a carjacking incident in El Fasher market on 27 December. Another UNAMID staff member was shot and wounded on 31 January during an attempted carjacking outside his residence in El Geneina, Western Darfur. On 16 January 2009, an explosive device was thrown into the home of a UNAMID staff member in Nyala, injuring a UNAMID police officer. Indeed, perpetrators appear to be getting bolder, targeting UNAMID in close proximity to its premises and to staff residences.

22. During the reporting period, the UNAMID military component conducted 1,325 confidence-building patrols, 1,748 village patrols, 479 escort patrols and 42 investigation patrols. UNAMID police conducted 3,806 patrols inside camps for internally displaced persons and 1,336 outside the camps.

23. During the reporting period, UNAMID continued to face restrictions on its freedom of movement. On 10 December 2008, a UNAMID patrol was blocked by Arab militia near Kile Kile (30 kilometres south of Muhajeria, Southern Darfur), who asked to be informed in advance of any patrols in the area. On 31 December, the Sudanese Armed Forces (SAF) denied a UNAMID patrol access to Abu Surug (30 kilometres north-west of El Geneina, Western Darfur) and prevented it from undertaking a routine assessment mission. On 28 January 2009, a UNAMID water escort patrol in Shaariya, Southern Darfur, was stopped at an SAF checkpoint and was not allowed to proceed. It was accused by the SAF commander of providing the Justice and Equality Movement (JEM) with equipment and weapons. In another serious development, on the same day a UNAMID patrol was stopped by members of a Chadian armed opposition group in Manzula village, near El Geneina, Western Darfur, and was told that UNAMID must seek permission from the Government of the Sudan to move through the territory.

24. The UNAMID police component continued to expand its community policing initiative during the reporting period. UNAMID police provided training to volunteers in 61 camps for internally displaced persons in gender-based violence, human rights, child protection and the principles of community policing. Construction or upgrading of up to 17 community policing centres out of 83 is envisioned to be completed by June 2009 to enable the UNAMID police component to perform its community policing task fully.

25. At the same time, the UNAMID police component continued its training programme with the Government of the Sudan and with police liaison officers appointed by the movements. During the reporting period, UNAMID provided a range of training to Sudanese police in crime investigation, crime scene management, community policing, gender-based violence, human rights, child protection and the detention and treatment of suspects. The movements' police received courses on community policing, gender-based violence, human rights and child protection and a three-week basic policing course.

26. During the reporting period, UNAMID continued to receive reports of human rights violations and abuses. A total of 33 incidents of sexual and physical violence involving 83 victims, 15 of them minors, were documented by UNAMID; 20 victims were reportedly raped. Only 10 of the incidents were reported to the Sudanese police, because of fear of social stigma and lack of trust in local authorities to effectively investigate incidents. Out of a total of 74 perpetrators, 25 were described as wearing SAF military uniforms, 21 as members of armed militias and 24 as unknown men. The Government has reported that two soldiers of SAF were arrested in connection with these crimes.

27. During the reporting period, UNAMID also documented 21 cases of allegations of torture, ill treatment and arbitrary use of force, including lethal force. Out of a total of 10 incidents involving central reserve police, nine occurred in Tawila, Northern Darfur, where there is no presence of regular Sudanese police forces.

28. On 23 January 2009, the Office of the United Nations High Commissioner for Human Rights and UNAMID jointly issued a public report on the Government of the Sudan law enforcement operation at Kalma camp on 25 August 2008, which resulted in the killing of 33 civilians and the wounding of 108 others. The report concluded that the indiscriminate and disproportionate use of force by security

forces of the Government of the Sudan was in violation of international human rights and humanitarian law. The Government committee set up to investigate the incident has not yet released its findings. UNAMID will continue to provide a 24/7 presence around Kalma camp together with advocacy and support inside the camp, in order to prevent insecurity inside the camp, which remains volatile.

29. With regard to quick-impact projects, 22 new projects were established in Northern Darfur, bringing the total number of such projects in the three Darfur states to 99. UNAMID and the United Nations Human Settlements Programme signed a memorandum of understanding for the implementation of quick-impact projects using stabilized soil block, an environmentally sound alternative building material. UNAMID will continue to promote the use of environmentally sound technology in Darfur, given that competition over limited natural resources is one of the major causes of the conflict. The UNAMID civil affairs component also participated in the Darfur environmental technology task force to further enhance local environmental protection objectives.

30. During the reporting period, the UNAMID mine-action component visited 24 villages for a general mine-action assessment and more than 9,000 people received mine-risk education. The assessment found that unexploded ordnance continued to constitute a threat to the population of Darfur. Incidents involving unexploded ordnance injured two children in Gokar, Western Darfur on 14 December; killed one child and injured two others in Kera, Northern Darfur on 16 December; and injured three persons in Tawila, Northern Darfur on 8 January.

IV. Security situation

31. The period under review was characterized by a dramatic deterioration in the security situation across Darfur. The unilateral ceasefire announced by President Al-Bashir on 12 November 2008 at the conclusion of the Sudan People's Forum in Khartoum has not taken hold. Of major concern have been the military offensives by armed movements, especially JEM, and counter-attacks by SAF, which included the use of aerial bombardments. The reporting period has also seen fighting within several armed movements. In addition, tribal clashes over natural resources engulfed Southern Darfur on a scale not seen since early 2008.

32. In the light of the escalating violence, the need for a concerted effort towards a cessation of hostilities has become more urgent than ever and the Joint Chief Mediator has been leading African Union-United Nations efforts with the parties in this regard. In the meantime, UNAMID will continue its efforts to systematically monitor, report and investigate attacks in accordance with its mandate. It is absolutely critical for the Government of the Sudan and the movements to guarantee access for UNAMID monitoring teams to any areas where there are allegations of violence involving civilians.

33. During the reporting period, the Government reported that two large columns of JEM rebels had crossed the border from Chad into Northern Darfur on 11 December 2008, precipitating troop reinforcements on the part of SAF and aerial bombardments of strategic locations intended to avert a JEM offensive into Southern Darfur and beyond.

34. On 8 January 2009, SAF aircraft reportedly bombarded Birdik (north of Kutum, Northern Darfur) and Sani Hayi (north-west of Mallit, Northern Darfur), followed by bombing of Kalaka village (east of Khor Abeche, Southern Darfur) on 10 January and Jebel Adulla and Agara (east of Shaariya, Southern Darfur) on 12 January. On 12 January, a UNAMID investigative patrol confirmed that Kalaka village had been bombed. The same day, UNAMID reported the bombing of Muhajeria, Southern Darfur, by a white aircraft.

35. On 14 January, heavily armed JEM vehicles entered Muhajeria and on 15 January, JEM engaged in clashes with the Sudan Liberation Army/Minni Minnawi (SLA/MM) forces. Following the clashes, the SLA/MM forces retreated and JEM took control of Muhajeria and nearby Labado. UNAMID set up a makeshift hospital at its team site in Muhajeria to assist the wounded.

36. On 22 January, the reinforcement of Graida by SAF, intended to limit JEM gains in what had been SLA/MM territory, reportedly led to SAF clashing with SLA/MM and taking control of the town from SLA/MM.

37. From 22 to 24 January, in an apparent attempt to dislodge JEM, the Government conducted several aerial bombing raids in Muhajeria, which were confirmed by UNAMID. According to local residents, two bombs hit a camp for internally displaced persons leaving eight houses burnt, five damaged and a child dead. An estimated 1,000 civilians took refuge at the UNAMID camp.

38. Also on 24 January, UNAMID received unconfirmed reports that the Government of the Sudan had conducted aerial bombardments in Northern Darfur, (24 kilometres west of Haskanita and south of Umm Kadada). At least 15 people were reportedly killed in the fighting. UNAMID continues to investigate the incident.

39. On 26 and 27 January, SAF engaged an advancing JEM column 9 kilometres from the centre of El Fasher. On several occasions, heavy bombardment could be heard from the town. Also on 26 January, UNAMID confirmed that Government aerial bombardments had been conducted in Muhajeria, where 3,000 civilians gathered at the UNAMID camp for shelter and protection.

40. On 31 January and 1 February, Sudanese authorities informed UNAMID that they believed that JEM intended to initiate larger scale hostilities in Southern Darfur and that SAF would therefore use "all means possible" to dislodge JEM from the area. The Sudanese authorities further called on UNAMID to relocate personnel out of the Muhajeria team site to another location, in order to "prevent any unnecessary loss of life, similar to Haskanita". During these contacts, Government officials made clear that they viewed the area of Muhajeria as vital to the security of Southern Darfur and Kordofan.

41. In the light of these developments, intense diplomatic efforts were undertaken in Khartoum and Addis Ababa, in the margins of the African Union Summit, to convince the Government and JEM to stand down, including a meeting between myself and President Al-Bashir at the Summit. During these contacts, the United Nations called on the Government of the Sudan to exercise maximum restraint and to abide by existing agreements, including with respect to the safety and security of African Union-United Nations personnel. The response received from the most senior levels of the Government was that restraint would be exercised and that UNAMID would not be asked to depart from Muhajeria, a situation that would have implied suspending the mission's mandated activities in the area. President Al-Bashir

also gave his personal assurance that he would make every effort to ensure the safety of civilians in the Muhajeria area and the safety and integrity of UNAMID's team site there.

42. Following similarly intense engagement with JEM leadership, by 3 February JEM withdrew its forces approximately 50 to 60 kilometres outside of Muhajeria.

43. However, in a disturbing development that same day, a senior delegation led by the UNAMID Deputy Force Commander was prevented from travelling to Muhajeria by Government security officials on the ground that the security situation was dangerous. The delegation aimed to assess the security situation and reinforcement needs of the UNAMID team site. This represents a clear infraction of the status-of-forces agreement between UNAMID and the Government of the Sudan, which guarantees UNAMID full and unrestricted freedom of movement without delay throughout Darfur.

44. In addition to the crisis in the Muhajeria area, tribal fighting remained a key destabilizing factor in the security environment in Southern Darfur. On 25 December 2008, a group of 150 armed men believed to be from the Salamat and Fallata tribes attacked the Habaniya and Abu Darak nomadic communities in the western part of Wad Hagam, Southern Darfur. Five civilians, including one woman, were reportedly killed and 536 cattle were looted during the attack. The attack followed two other incidents between the tribes: on 4 December 2008, 20 Fallata men were allegedly killed by Habaniya tribesmen in Al-Tomat; and on 11 December 2008, 28 members of the Habaniya tribe were reportedly killed when a group of approximately 700 armed men from the Salamat and Fallata tribes launched a counter-attack on Wad Hagam village. During a mission to the area on 17 December 2008, UNAMID observed that at least 80 per cent of the village settlement, including houses and shops, had burned down. Since 25 December, UNAMID has provided active support, including logistical assistance, to the reconciliation conference between the tribes initiated by local government.

45. In addition, from 6 to 8 December 2008, clashes between the North Gimir and South Gimir tribes in Antakina village, 150 kilometres south of Nyala, Southern Darfur, resulted in the death of approximately 20 people, mostly community leaders from the South Gimir. On 7 January 2009, the fighting again erupted between the two tribes, reportedly killing 10 people.

46. These clashes arise from long-standing disputes over land jurisdiction and local authority between the groups in a context of proliferation of firearms, the absence of law and order and precarious economic conditions. The clashes underline the need for improved local governance and dispute resolution mechanisms and social and economic development.

47. In Zalingei, Western Darfur, tension increased between armed nomads and internally displaced persons around the Hassa Hissa camp for internally displaced persons. On 1 December 2008, two internally displaced persons were shot and injured by an armed nomad, who was then severely beaten by internally displaced persons and died the following morning at the Zalingei hospital. The reaction of armed nomads resulted in the shooting of three IDPs, including one child, on 2 December 2008. The rapid deployment of UNAMID and SAF, as well as close cooperation between all UNAMID sections in Zalingei and the local authorities, contributed to the successful resolution of the conflict and prevented its further escalation.

V. Humanitarian situation

48. Continued violence during the reporting period increased the vulnerability of civilians in Darfur, while additional population displacements increased the number of people dependent on life-saving assistance. In 2008, some 317,000 displacements occurred (compared with 300,000 in 2007), bringing the total number of displaced individuals in Darfur above 2.7 million.

49. As a result of the violence, humanitarian organizations have had to reduce movements by road and rely increasingly on air assets. Relief and early recovery programmes nevertheless continued throughout the reporting period, including distribution of food and non-food items such as blankets to aid-dependent communities, as well as education, health and water and sanitation programmes.

50. At the same time, restrictions on air operations prevented the free movement of life-saving assistance, including on 28 December 2008 when all flights of the World Food Programme were cancelled for the day by the Government's Humanitarian Aid Commission. In Southern Darfur, state authorities continued to hinder the delivery of fuel needed to power water pumps in camps for internally displaced persons. At the federal level, many non-governmental organizations and United Nations organizations continue to struggle to get visas for their staff within the time agreed under the Government's General Directorate for Procedures.

51. The humanitarian community also continued to be a frequent target of violent acts during the reporting period, when 22 vehicles were hijacked, 4 humanitarian workers were abducted and 11 humanitarian premises were broken into. It is of deep concern that 2008 figures show an almost doubling of the number of violent attacks on humanitarian aid workers compared with the previous year. In 2008, a total of 277 humanitarian vehicles were hijacked (compared with 137 in 2007), 218 humanitarian personnel were abducted (147 in 2007), 192 humanitarian premises were attacked (93 in 2007) and 36 staff members were wounded (24 in 2007). In 2008, 11 staff members were killed, with four still missing (13 died in 2007). These statistics are a stark reminder of the risks taken and the bravery shown by the aid community working throughout Darfur.

52. Despite these challenges, there have been some positive developments, in that most of Darfur received sufficient rainfall, allowing more people than in previous years to cultivate land. Consequently, the harvests in Western and Southern Darfur are expected to have been better in 2008 than in 2007. As the rainy season ended across Darfur, the seasonal nomadic movement recommenced. Increased Sudanese police deployment to agricultural areas to protect the harvest and community mobilization, including through the creation of security committees to facilitate agreement on nomadic routes, also ensured a lower level of conflict along these routes than in previous years.

VI. Political process

53. During the reporting period, progress in the political process was impeded by the military action of JEM, resumption of aerial bombardments by the Government and the general sense that all concerned were waiting for the decision of the International Criminal Court regarding the Prosecutor's application for an arrest warrant against President Al-Bashir. In this context, the position of the main parties

has not changed. SLA/Abdul Wahid continued to reject the possibility of dialogue with the Government of the Sudan; JEM continued to claim it was ready for direct negotiations with the Government, but its actions on the ground, in particular its 15 January attack on SLA/MM in Muhajeria, signalled an intention to focus on military action. In addition, JEM continued to reject the inclusion of other movements in the peace talks. Furthermore, the fighting between the Government of the Sudan forces and SLA/MM in Gaida could jeopardize the security and political arrangements between the Government of the Sudan and SLA/MM.

54. In the follow-up to the Sudan People's Forum launched by President Al-Bashir in October 2008, the President paid a visit to Darfur on 23 December, inaugurating newly constructed Government buildings and conducting a rally in the village of Sewelinga near El Fasher, which was built by the Government as a model village intended for the voluntary resettlement of Darfurians displaced by the conflict.

55. The President subsequently issued decrees on 21 January 2009 establishing three committees to deal with fundamental issues related to the conflict in Darfur, namely a committee for assessing the administrative structure of Darfur states, a committee for the follow-up on reconciliation conferences, and a committee on native administration. It will be crucial for the committees to deliver tangible outcomes in order to gain trust among the people of Darfur.

56. As at 31 January, the recommendations of the Sudan People's Forum had yet to be taken forward by the Government in direct negotiations with the armed movements, as envisaged. Moreover, some of the parties that participated in the inaugural meeting of the Forum have since publicly expressed their concern with regard to the credibility of the initiative. In addition, prospects for the participation of the Popular Congress Party in the Forum were seriously undermined with the arrest of the Party's leader, Hassan Al-Turabi, on 15 January, following his remarks in support of the process at the International Criminal Court against President Al-Bashir two days earlier.

57. On 14 January, the ad hoc Afro-Arab ministerial committee on resolving the Darfur crisis met in Doha. The Prime Minister of Qatar, Hamad bin Jasssem bin Jabr Al-Thani, opened the meeting, which was attended by official representatives from Algeria, Burkina Faso, Chad, the Congo, Egypt, the Libyan Arab Jamahiriya, Morocco, Nigeria, Saudi Arabia, Senegal, South Africa, the Syrian Arab Republic and the United Republic of Tanzania. Also present were the Chairperson of the African Union Commission, Jean Ping, the Commissioner of the African Union Peace and Security Council, Ramtane Lamara, and the Deputy Secretary-General of the League of Arab States, Ahmad Bin Helli, as well as the African Union-United Nations Joint Chief Mediator for Darfur, Djibrill Bassolé. In his address to the meeting, the Chief Mediator provided an update on his work with the main parties and the Government of Qatar on a framework agreement and expressed his intention to convene a meeting with the parties as soon as possible. The statement issued by the participants in the ministerial meeting endorsed the efforts of Mr. Bassolé and the Government of Qatar to facilitate the resumption of peace talks in Doha. The statement called upon Qatar, the African Union and the League of Arab States to send a delegation to New York to discuss with members of the Security Council the suspension of all Darfur International Criminal Court cases in the interest of the peace process.

58. All participants in the meeting expressed concern about the possible negative impact on the peace process of an International Criminal Court arrest warrant against President Al-Bashir. Mr. Bassolé urged participants in the meeting to press the parties to sign the framework agreement as soon as possible in order to build momentum and provide a platform for dialogue and continued engagement following the International Criminal Court decision.

59. Indeed, while the overarching objective of a framework agreement is to establish the parameters for the final peace talks, an immediate consequence of its signing would be an improvement in the security situation through a cessation of hostilities, provided the parties comply with the terms of the agreement. An initial meeting between the Government and JEM is scheduled to take place in the first half of February, although the recent clashes in Southern Darfur have put that plan in jeopardy.

60. Given the recent escalation and the dynamics of the conflict so far, it is inconceivable that the agreement can be signed without the support and direct engagement of all Member States with influence over the parties. I urge these countries to rise to their responsibility in this regard.

VII. Observations

61. The escalation in the level of violence in Darfur signals an investment in conflict rather than a serious commitment to peaceful negotiations. I deplore the violence and its consequences for the civilian population, and I reiterate my condemnation of JEM's attack on Muhajeria and the Government of the Sudan's use of aerial bombardments. I urge the Government to refrain from the use of offensive military flights and call on all parties to refrain from attacks on civilian areas. In connection with the recent fighting and keeping in mind the findings of the report on the Kalma incident, I remind all parties of their responsibilities under international humanitarian law to ensure the safety and security of civilians, African Union-United Nations personnel and aid workers in Darfur.

62. With limited capability at its disposal, over the reporting period UNAMID has nevertheless been able to make a difference on the ground. I applaud the efforts of UNAMID and troop-contributing countries in reaching 60 per cent of military deployment on 31 December 2008 in the face of enormous difficulties, including the volatile security situation in Darfur. The sustained cooperation of the Government of the Sudan during the past few months has been important in achieving this level of deployment. It will also be extremely important for troop and police contributors, in some cases with support from donor countries, to accelerate their preparations and readiness to deploy. If this does not take place, we will not meet our deployment targets.

63. I am confident that much more will be achieved once the mission reaches full operating capability. As we go forward, however, an important requirement will be to consolidate the capabilities of the troops currently on the ground. The provision of outstanding equipment, in particular military helicopter assets, remains critical to increasing the mobility and operational impact of the mission. I reiterate my appeal to Member States who are in a position to provide these mission-critical capabilities to do so without further delay.

64. At the same time, the latest security developments highlight, once again, the fundamental challenges that UNAMID continues to face while operating in an environment where the parties show no intent to give up the use of force, and further underscore the urgent need for a comprehensive settlement to the Darfur crisis. In the meantime, UNAMID continues to balance the dual priorities of continuing with deployment in order to better implement its mandate, while minimizing risk to personnel in a phase IV security environment. The approach being taken is to give short-term emphasis to measures designed to enhance the safety and security of personnel (including improved security measures at team sites), agreement on which staff are essential, and ensuring supplies and other provisions are in place so that personnel can sustain operations for a reasonable period in the event of a serious deterioration in the security situation. At the same time, deployment will continue in the case of military and police units and individuals that contribute directly to the mission's ability to protect civilians and its personnel and assets.

65. Ultimately, the fundamental responsibility for making progress lies with the parties. It is the Government of the Sudan and the armed rebel movements that must cease hostilities and engage in dialogue under the auspices of the African Union-United Nations mediation. It is the Government that must take concrete actions to demonstrate its seriousness with respect to the outcomes of the Sudan People's Forum; and it is critical for regional stability and lasting peace in Darfur that the Governments of Chad and the Sudan improve relations.

66. In the aftermath of the violence in Muhajeria, it is clear that the parties do not have the will or capacity to transcend this conflict alone. I call on Member States with influence over the parties to engage actively in support of Joint Chief Mediator Bassolé's efforts to work with the parties towards a negotiated political solution.

67. With respect to the 14 July 2008 application by the Prosecutor of the International Criminal Court for an arrest warrant against President Al-Bashir, the United Nations respects the independence of the Court and its judicial process, and stresses its determination to remain engaged in the search for a solution to the conflict. Our peacekeeping operations and mediation, humanitarian and development work in the Sudan will continue in an impartial manner. To this end, while recognizing the importance of both peace and justice to the search for a solution in Darfur, Member States have the responsibility to encourage the Government of the Sudan to react responsibly to the International Criminal Court decision, and to engage with the Sudan in a way that brings forward the possibility of a political solution to the conflict.

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Report of the Secretary-General on children and armed conflict in the Sudan*Summary*

The present report, which has been prepared pursuant to Security Council resolution 1612 (2005), covers the period from 1 August 2007 to 30 December 2008. It is the third report on children in the armed conflict in the Sudan to be presented to the Security Council and its Working Group on Children and Armed Conflict.

The report focuses on grave violations perpetrated against children in the Sudan and identifies State and non-State parties to the conflict responsible for such violations. In particular, the report highlights that children continue to be recruited and used by all parties to the conflict, that rape and sexual violence continue to be systematic and widespread and that children and women in and around refugee camps and internally displaced persons' settlements are especially vulnerable. The report also shows alarming levels of attacks against humanitarian personnel and assets, particularly in Darfur, and the denial of humanitarian access to affected populations mainly due to acute insecurity.

The report also notes some limited progress in establishing child protection dialogue with parties to the conflict and highlights important ongoing initiatives by the Government of National Unity and the Government of Southern Sudan in areas such as adoption of national legislation for the protection of children, establishment of child protection modalities in the national police force and focus on children in the national disarmament, demobilization and reintegration process.

The report outlines a series of recommendations to address grave child rights violations, facilitate the implantation of child protection commitments and foster more effective coordination among key stakeholders.



I. Introduction

1. The present report, prepared pursuant to Security Council resolution 1612 (2005), covers the period from 1 August 2007 to 30 December 2008. It is the third report on children and armed conflict in the Sudan to be presented to the Security Council and its Working Group on Children and Armed Conflict (see S/2007/520 and S/2006/662). The report identifies State and non-State parties to the conflict responsible for grave violations against children, including their recruitment and use as child soldiers, killing and maiming, abductions, rape and other grave sexual violence, attacks on schools and hospitals and denial of humanitarian access. The report also highlights the plans of action and programme responses that have been undertaken by both national and international actors to address these violations.

II. Political, military and social development in the Sudan

2. The Sudan has signed three peace agreements within its own borders: the Comprehensive Peace Agreement of January 2005; the Darfur Peace Agreement of May 2006; and the Eastern Sudan Peace Agreement of October 2006. Child protection concerns have been addressed in all three agreements. By the end of the reporting period, there were at least two other peace initiatives under way: the Qatari initiative and the Sudan peoples' Darfur Peace Initiative, in addition to the joint overall mediation for the process under the auspices of the United Nations.

3. Since the signing of the Comprehensive Peace Agreement in 2005, Southern Sudan continues to face significant challenges such as putting in place new government structures, the continuing activities of militias and armed groups and persistent ethnic and resource-based localized conflicts. The Lord's Resistance Army (LRA), active in Southern Sudan since 1994, also continues to be a threat to peace and security in Southern Sudan. Acute security challenges which include inter-community clashes and the widespread proliferation of weapons have undermined the overall implementation of the agreement.

4. Looming tension in Abyei escalated into an armed clash on 13 May 2008 between the Sudanese Armed Forces (SAF) and the Sudan Peoples' Liberation Army (SPLA). Some 60,000 men, women and children were displaced as a result of the fighting. On 8 June 2008, an agreement was reached between the two parties on the Abyei road map, which set 30 June as the deadline for SPLA and SAF troops to leave Abyei and allow the deployment of new Joint Integrated Units. There have been delays in terms of the implementation of the stipulated time frame of the Abyei road map, but significant progress has nonetheless been made against key benchmarks. Still outstanding, however, are the final withdrawal of SAF forces from Diffra, the provision of a budget to the administration and the implementation of the wealth-sharing agreements.

5. Internally displaced persons and refugees continued to return to Southern Sudan. It is estimated that 153,638 returned in 2008, of which 60 per cent benefited from the support of the United Nations. Some 12,000 internally displaced persons also returned to Abyei town and its surrounding area by December 2008. But a security incident between members of the Joint Integrated Police Unit and the Joint Integrated Unit on 12 December in Abyei market prompted a majority of the civilians of Abyei to flee, mainly to the South, and some to the North.

6. During the reporting period, LRA also increased its activities in Western Equatoria State, and ongoing LRA activity has been noted in areas bordering western Uganda, in eastern Central African Republic and in north-eastern Democratic Republic of the Congo. Many children are still associated with LRA.

7. In January 2008, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) replaced the African Union Mission in the Sudan (AMIS). Its mandate includes the implementation of the Darfur Peace Agreement and the protection of civilians. However, the security situation in Darfur deteriorated significantly during the reporting period. On 10 May 2008, the Justice and Equality Movement (JEM) launched an attack on the city of Omdurman in an effort to reach Khartoum. According to figures released by the Government, 79 members of the Government's security forces, 57 civilians and 329 JEM fighters were killed during the fighting. It is also understood that there were a number of child combatants among the JEM forces.

8. Reporting on violations continues to be significantly impeded by lack of access to affected populations. This is due primarily to acute insecurity, especially in Darfur, where the ability of the United Nations to carry out monitoring, reporting and response activities have been severely hampered. There have also been challenges related to the restriction of movement imposed by the Sudanese authorities in some parts of the territory. Although the overall scope of the violations against children remains unknown for these reasons, reported and verified incidents indicate that there has been no major improvement compared to the last reporting period, especially regarding the recruitment and use of children, rape and other sexual violence, killing and maiming and the denial of humanitarian access.

A. Recruitment and use of children by armed forces or armed groups

Southern Sudan

9. United Nations field monitors reported the recruitment and use of 101 children by SPLA, including 68 boys who were registered for demobilization by the end of the reporting period. Indicative examples of recruitment include:

(a) A boy recruited by SPLA in Basila in late 2007 was interviewed on 23 April 2008 by the United Nations. He claimed that he had run away from the barracks because of a lack of food. He is now back with his family;

(b) On 26 December 2007, 32 children were recruited by SPLA in Pochalla, Upper Nile.

10. Although the SPLA high command has committed to preventing recruitment and to releasing the remaining children from its ranks, reports suggest that some local commanders are still recruiting children. Child protection officers in the United Nations Mission in the Sudan (UNMIS) have been able to access barracks and identify children who were associated with the armed group, but there have been significant delays in securing their release. In certain states SPLA continues to use children in military activities even after these children have been formally identified for release and family reunification.

11. Another concern is that many children continue to return to the barracks after their release, primarily due to a lack of food and the shortage of livelihood

opportunities. Furthermore, authorities in Southern Sudan have reported the "spontaneous demobilization" of children associated with SPLA. As a result, these children are not formally registered and are not therefore included in reintegration programmes.

Three Areas

12. The recruitment and use of 67 children has been reported in six separate incidents in the Abyei area. On 18 to 19 June 2008, the United Nations reported the presence of 55 uniformed children aged 14 to 16 years among SAF soldiers who had presented themselves for registration in the Joint Inspection Unit. It should be noted that the children were turned away.

Darfur

13. During the reporting period, United Nations field monitors reported the recruitment and use of 487 children by various armed forces and groups operating in all three Darfur states, although it is known that many cases remain unreported. Over 14 Sudanese and foreign armed forces and groups are reportedly responsible for recruiting and using children in Darfur. This includes rebel groups such as JEM, JEM/Wings for Peace, the Janjaweed, the Movement of Popular Forces for Rights and Democracy (MPFRD), SLA Abu Gasim, SLA Peace Wing, SLA/Movement Abdul Wahid, SLA-Minawi and various tribal groups (see figure I).

14. For example, on 11 January 2008, 17 children recruited by SLA-Peace Wing were gathered near Nyala town in Southern Darfur in preparation for their transfer to Ed Daein with the armed group. In February 2008 alone, at least 89 children were recruited by various armed groups, including SLA/Abuel-Gasim, 10 in Southern Darfur, 30 in Northern Darfur and 49 in Western Darfur.

15. Some of the children recruited were as young as 12. Almost all the children recruited were boys. However, one girl was seen with JEM/Wings for Peace personnel in Northern Darfur, and another girl was recruited by SLA/Abu Gasim in Western Darfur. The majority of cases were reported from Western Darfur State. This includes many of the 99 children who have been confirmed as recruited and used by JEM during their attack on Omdurman in May 2008.

16. Most of the 487 recruited children have been used as combatants. Of those children, 170 were seen carrying weapons, and over 75 per cent were seen wearing some articles of military uniform. There were relatively few reports of children used for auxiliary tasks, but because of the lack of visibility of such children this may be significantly underreported.

17. Government forces are also responsible for recruiting children in Darfur. For example, reports indicate that the Central Reserve Police recruited 49 children and the Sudan Armed Forces recruited 45 children during the reporting period. On 2 April 2008, a 14-year-old boy carrying a weapon and wearing an SAF uniform with rank markings identifying him as a captain was seen by a representative of the United Nations in Abu Surug.

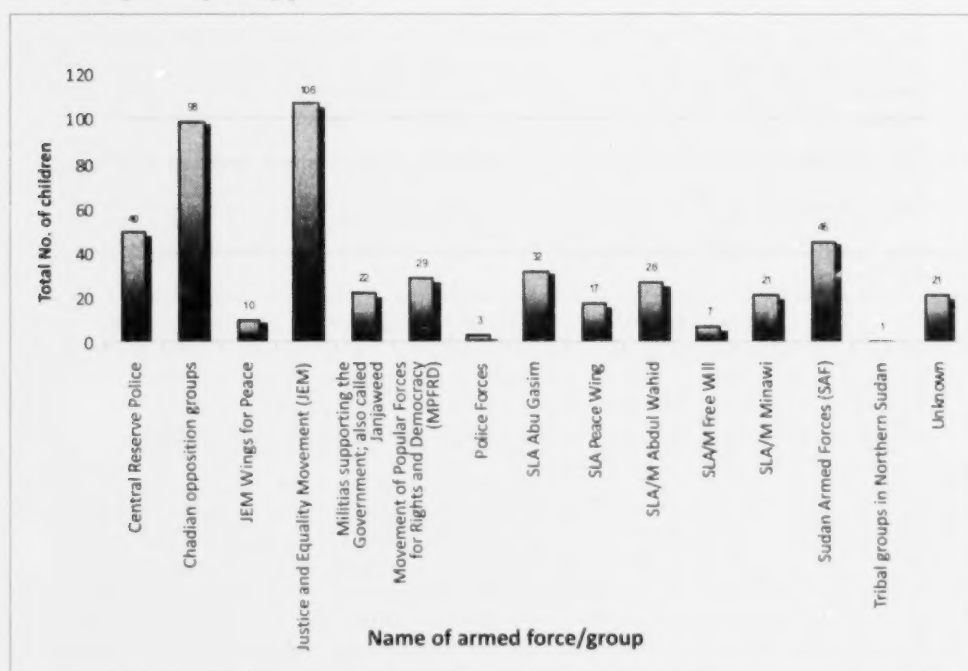
18. The regional dimensions of the conflict have also exacerbated the recruitment and use of children in Darfur. For instance, there have been 98 reported cases of children associated with Chadian opposition groups present in Darfur. On 25 August

2008, a boy wearing a uniform and carrying a weapon told United Nations staff that he was 11 years old and associated with a Chadian opposition group.

19. Security constraints and lack of access notwithstanding, the graph below gives an indication on the scope of recruitment and use of children in Darfur.

Figure 1

Reported recruitment and use of children by armed forces and groups in Darfur during the reporting period



B. Killing and maiming

Southern Sudan

20. In Southern Sudan, there have not been any major armed incidents during the reporting period and incidents of killing and maiming of children have decreased since 2006. However, a 10-year-old girl was injured during armed clashes between SPLA and the Southern Sudan Police Service in February 2008 in Jonglei State, and a two-year-old boy was injured during fighting between SPLA and Joint Integrated Unit-SAF soldiers in May 2008 in Upper Nile State.

21. Some children were also killed or injured as a result of conflict among ethnic groups. For example, two children were killed in such clashes in Warrab State in May 2008. There are also several unconfirmed reports during the reporting period of children killed in attacks by the Murle against other ethnic groups in Jonglei State.

22. There were also grave violations perpetrated by the LRA in Southern Sudan during the reporting period. On 19 February 2008, a 4-year-old girl was seriously

injured when a large group of LRA fighters attacked the settlement of Source Yubo (Western Equatoria) State where SPLA soldiers were living with their families. In total, 3 civilians were killed, 27 were abducted and 9 were injured.

23. Incidents related to mines and unexploded ordnance also resulted in death and injury to children. In total, 7 children were killed and 21 injured in such accidents throughout Southern Sudan.

Darfur

24. Reports indicate that ethnic groups such as the Abbala and Zaghawa, as well as rebel armed groups, including JEM, SLA/Unity and SLA/Minawi, are responsible for the killing and maiming of children in Darfur. Reports also point towards other perpetrators such as Government-backed militias and Chadian opposition groups.

25. During the reporting period, United Nations field monitors reported the killing of 42 children and injuries to 20 others throughout Darfur. In addition, through the Information Management System for Mine Action, the deaths of 9 children and injuries to 19 others were reported as a result of mine and unexploded ordnance incidents.

26. Most children were killed or injured during attacks by armed groups on villages, markets and internally displaced persons' camps, or in clashes between armed groups. In total, it was reported that 27 children were killed and 10 injured in 19 different incidents. For example, on 17 September 2007, a 13-year-old boy was seriously injured by a bullet that hit his back during an attack by SLA/Minawi on a Ma'alia nomadic group in Ed-Daein.

27. Many of the reports of killing and maiming of children in Darfur have been attributed to SAF, the Central Reserve Police and other police and security forces. A number of children were killed or injured in continued aerial bombardments by Sudan Government forces throughout the reporting period. For example, from March to May 2008, there were reports of 12 children killed and 7 injured during such bombardment, primarily in Northern Darfur State. On 29 April 2008, Government planes bombed the village of Hilif (Northern Darfur), killing a two-month-old baby and injuring a two-year-old child. The village of Um Sidir (Northern Darfur) was also bombed on 1 May 2008 and 16 civilians, including a 16-year-old, were severely injured.

Northern Sudan (not including Darfur)

28. During the reporting period, the deaths of 11 children and injuries to 18 children in other areas in Northern Sudan (not including Darfur) have been recorded in the Information Management System for Mine Action database of victims of mines and unexploded ordnance.

C. Rape or other grave sexual violence

29. Sexual violence continues to be widespread throughout the Sudan, particularly in Darfur, although, the majority of cases go unreported because of the stigma attached to the survivors and the cultural taboo surrounding sexual violence. Investigation and prosecution of the crime of rape is relatively rare. Examples and trends illustrating the scope of sexual violence against children in the Sudan are

given below, but it is clear that the extent of the problem goes beyond the cases that are verified and reported to the United Nations.

Southern Sudan

30. In Southern Sudan, two incidents of sexual violence against two girls by armed elements were reported. The more recent case, recorded in June 2008, occurred in Upper Nile State, where a 13-year-old girl was raped by an SPLA corporal. The alleged perpetrator was later arrested and detained.

Darfur

31. Most reported incidents of rape and sexual violence against children occurred in Darfur. The United Nations was able to verify 53 cases of girls raped by armed elements in 34 separate incidents. The youngest victim was a six-year-old girl who was raped along with two other girls from the Fur community by five Arab militia men in April 2008. In addition to the verified cases, there were 26 reports of sexual violence against girls that the United Nations was not able to verify. The majority of the incidents of rape or sexual violence occurred in Western Darfur, affecting 31 children, followed by Southern Darfur, with reports involving 17 children.

32. One third of the total 34 reported incidents were perpetrated against internally displaced children or occurred within the vicinity of an internally displaced persons' camp. Girls who leave such camps to collect firewood are particularly at risk. For example, on 25 January 2008, a 15-year-old girl was raped while collecting firewood with a group of women on the outskirts of their camp in Western Darfur.

33. In 11 incidents, the perpetrators were identified as Government forces (Border Intelligence Force, Central Reserve Police, SAF and Police Forces). For example, on 16 May 2008, a 13-year-old girl was repeatedly raped by three armed men wearing SAF military uniforms. A further 12 incidents were ascribed to Government-backed militias.

34. On 8 February, Government forces and Government-backed militias attacked Sirba, Seleia and Abou Suruj villages in the northern corridor in Western Darfur in retaliation for an earlier attack by JEM against police posts. Reports indicate widespread acts of sexual violence committed by SAF. At least 10 girls aged between 9 to 18 years were raped and/or sexually assaulted during the attack.

D. Abduction of children

Southern Sudan

35. Almost all abductions of children reported in Southern Sudan occurred in 2007. Some children were abducted during cattle raids on villages by armed tribesmen. For example, on 12 November 2007, a 10-year-old boy was abducted near Rejaf, in Central Equatoria State, by Murle tribesmen. In another instance in Northern Bahr el Ghazal State, in December 2007, 10 children were abducted by Popular Defence Force militias during an attack on their village. The whereabouts of the children remain unknown.

36. In 2008, there were continuing concerns about incidents of abduction in Southern Sudan, but the lack of access to the remote areas where such abductions take place has made it difficult to identify trends at this stage.

Darfur

37. The abduction of children continues to be a concern in Darfur, where six incidents affecting seven children, mostly girls, have been reported. Half of the reported abductions took place in Western Darfur. The abduction of girls is often linked to rape and sexual violence. All six incidents were perpetrated by members of SAF, the Central Reserve Police or Government-backed militias. For example, on 26 October 2007, in two separate incidents, a Central Reserve Policeman and a former SAF soldier abducted two girls. One of the girls, a 17-year-old, was raped. Government police forces pursued the alleged perpetrators in both cases and one of the two girls was successfully rescued.

E. Denial of humanitarian access

Southern Sudan

38. In Southern Sudan, humanitarian actors have had largely unrestricted access throughout the reporting period. Unlike the previous reporting period where there were cases of World Food Programme (WFP) trucks being looted or held back by SPLA, there have been no such incidents during the present reporting period. With the exception of a few isolated incidents in 2007, humanitarian access has been unhindered in the past three years in this area.

Three Areas

39. In Abyei and Southern Kordofan State, humanitarian access has been hampered due to the prevailing insecurity. UNMIS and United Nations agencies have not had access to Meiram (Southern Kordofan/Abyei area) since fighting broke out in December 2007 between SPLA and the Misseriya ethnic group. UNMIS movements outside Abyei have also been restricted by National Intelligence and Security Services in the northern, eastern and western parts of the UNMIS sector, as the Government of Sudan claims that these areas are outside the ceasefire zone set out in the Comprehensive Peace Agreement and therefore beyond the mandate of UNMIS. As a result, since June 2008, UNMIS has had no access to areas outside of those covered by the Abyei road map.

40. More recently, United Nations agencies have had better access to the north from Kadugli (Southern Kordofan), but access is still hampered by insecurity. It has been challenging, therefore, to monitor and verify grave violations against children in the affected areas, including the impact of the Meiram clash on children and the suspected recruitment and use of children in that part of Southern Kordofan.

Darfur

41. There has been a substantial increase in attacks against humanitarian workers in the reporting period in Darfur, with a total of 19 humanitarian workers killed and 38 injured.

42. The number of hijackings affecting humanitarian agencies has also doubled compared to the previous reporting period. Some 293 vehicles belonging to the United Nations and non-governmental organizations were hijacked in Darfur, including 52 UNAMID vehicles and 110 WFP-contracted trucks, during which 227 humanitarian workers and WFP-contracted drivers were abducted. To date, all but three drivers have been released. During one hijacking incident, the State Water Corporation in Northern Darfur lost valuable drilling equipment and vehicles.

43. During the attacks in the northern corridor of Western Darfur in early 2008, humanitarian compounds and centres were repeatedly looted and destroyed during attacks by the armed groups, SAF and militias. These attacks seriously jeopardize the delivery of humanitarian assistance, including food, to affected populations.

44. During the reporting period, 207 attacks on humanitarian workers and goods by armed elements were reported, including:

(a) On 20 September 2007, a convoy of international non-governmental organizations was ambushed by two unidentified armed Arab men in the Bulbul Timbisco area, west of Nyala in Southern Darfur. Three staff of the organizations were injured by gunshot wounds and, as a result, their activities in the area were suspended for two months;

(b) Médecins Sans Frontières evacuated staff from Tawila and Shangil Tobaya in Northern Darfur following a series of violent assaults against their staff by unidentified armed men in August 2008. The suspension of the organization's activities left more than 65,000 civilians without medical assistance. Similarly, in August 2008, the non-governmental organization German Agro Action suspended its activities in Northern Darfur, which affected the provision of food assistance to 450,000 beneficiaries. Both international non-governmental organizations resumed activities after two months.

45. A positive development has been the one-year extension of the moratorium on restrictions signed by the United Nations and the Government of the Sudan in July 2004 to facilitate humanitarian activities in Darfur. Over time, the moratorium has enhanced humanitarian access to affected populations.

46. However, despite the moratorium, the humanitarian community continues to face some Government restrictions, including delays or the denial of work permits for the staff of international non-governmental organizations, as well as restricted access for some humanitarian missions in the field. For instance, in early 2008, the Government denied access for 40 days to humanitarian agencies assisting some 160,000 conflict-affected people, including an estimated 80,000 children in the northern part of Western Darfur. As a result, protection activities, including sexual and gender-based violence, human rights and child protection projects, were suspended. Protection projects have faced serious challenges leading to either closure or suspension of essential programmes. Protection organizations have been monitored by the National Security and Humanitarian Aid Commission, resulting in searching of premises and material, and threats and intimidation of staff.

F. Attacks on schools and hospitals

Southern Sudan

47. No major armed clashes took place in Southern Sudan during the reporting period, and there were no reported incidents of schools or hospitals being targeted.

Three Areas

48. Following the fighting in Abyei in May 2008, five schools in Abyei town were looted and partially destroyed. One school remained inaccessible until October 2008 owing to the presence of unexploded ordnance. A clinic run by an international non-governmental organization was looted and stored medicines were stolen.

Darfur

49. Attacks on schools and hospitals in Darfur during the reporting period, are attributed to ground attacks or clashes between various armed forces and groups. For example, five schools and the town clinic were burned during an attack on Haskanita town in September 2007. According to United Nations reports, the entire town was intentionally burned.

50. The majority of incidents occurred in Western Darfur State and involved the looting of schools and hospitals:

(a) During the February 2008 attacks on Silea and Abu Surug villages, the main school in Silea was reportedly looted by both SAF and Government-backed militias;

(b) In September 2007, a boys' secondary school in Mornei, Western Darfur, was reportedly occupied by the Central Reserve Police following clashes between the Government and SLA/Abu Gasim.

III. Advocacy and dialogue for action plans

51. During the reporting period, cooperation with the Government on children and armed conflict has improved and as a result both advocacy and dialogue efforts have been facilitated. In early 2008, a joint United Nations-Government forum on children and armed conflict was established in order to collaborate on the implementation of Security Council resolution 1612 (2005), including review of progress in implementation of the recommendations of the reports of the Secretary-General. This development has enhanced information-sharing, cooperation and a coordinated response to issues related to children affected by the armed conflict in the Sudan.

52. The development of action plans with armed forces and groups operating in Darfur was the primary focus for UNAMID and the United Nations Children's Fund (UNICEF) during a workshop organized by the Centre for Humanitarian Dialogue in Geneva in July 2008. Two of the non-signatories to the Darfur Peace Agreement, JEM and SLA/Unity, committed to adopting measures to protect children in Darfur and reaffirmed their commitment to refrain from using children for military operations. Dialogue has been initiated by UNICEF with JEM to translate these commitments into an action plan, in line with Security Council resolutions 1539

(2004) and 1612 (2005). It is anticipated that similar dialogue will also be initiated with SLA/Unity.

53. Following the signing of the action plan with SLA/Minawi, 16 children associated with the armed group were registered for demobilization in Darfur during the reporting period. Identification and registration are ongoing.

54. Following the arrest of some 110 children, aged from 11 to 17 years, in the aftermath of the JEM attack on Omdurman on 10 May 2008, concerted advocacy was undertaken by the National Council for Child Welfare on behalf of the children. A Presidential high-level committee was established to deal with the protection of these children. As a result, children have been separated from adult prisoners and provided with medical care, psychosocial support and other services, the International Committee of the Red Cross was also requested to carry out family tracing and reunification, and UNICEF has provided support for both interim care and long-term reintegration planning and initiatives. It should be noted, however, that despite strong United Nations advocacy, more than 30 of these children were used as witnesses in the trials against JEM combatants, putting them in considerable danger. Towards the end of the reporting period, almost all detained children had been pardoned by Presidential decree and released and reunified with families and communities, including a number of children reunified with their families in Chad. The whereabouts of five children remains unknown, however, and one 16-year-old boy has been sentenced to death under sharia law applied in Northern Sudan. Efforts by the United Nations and partners are ongoing to ensure that this sentence is commuted.

55. In Southern Sudan, the United Nations continues advocacy with SAF and SPLA on issues related to violations of children's rights, including recruitment, through the ceasefire bodies, in particular the Ceasefire Joint Military Committee and its seven subsidiary Area Joint Military Committees.

IV. Disarmament, demobilization and reintegration programmes

56. During the reporting period, almost 600 children formerly associated with armed forces and groups under the Comprehensive Peace Agreement, as well as 12,000 other vulnerable children, were supported through reintegration programmes across the Sudan. However, although the Agreement, signed in January 2005, called for the immediate and unconditional release of all children from various fighting forces and groups within six months, children continue to be recruited and used by all parties to the conflict.

57. The Northern and the Southern Sudan Disarmament, Demobilization and Reintegration Commissions have jointly developed a national reintegration strategy for children associated with armed forces and groups, which will provide a common approach for child reintegration throughout the country. In April 2008, along with United Nations partners, the Commissions also agreed that all children associated with armed forces and groups should be released before the end of 2008. Although this process has not been completed to date, the Southern Sudan Commission has reintegrated 150 children and registered an additional 50, and the Northern Sudan Commission has recently started the reintegration of some 300 children.

58. In Southern Sudan, thanks to concerted efforts of the Disarmament, Demobilization and Reintegration Commission, SPLA and UNICEF to speed up the identification and release of children, 68 children were registered in Korpiot (Upper Nile) and 86 in Unity State during the reporting period. Demobilization activities took place in December 2008: a total of 46 children were released; 37 have been reunified with families; and the remaining 9 await transportation and family reunification.

59. In the Three Areas, after a year of discussions, the Northern Sudan and Southern Sudan Disarmament, Demobilization and Reintegration Commissions reached an agreement on the reintegration processes, resulting, in May 2008, in the release and family reunification of 88 children (out of the 227 who had been identified in July 2007) from SPLA in Kurmok (southern Blue Nile State). Owing to delays, the remaining children either turned 18 or left the registration site, losing their reintegration opportunities.

60. A disarmament, demobilization and reintegration process for children in Darfur was launched in June 2008 as a result of a workshop that brought together representatives of the six groups that are signatories to the Darfur Peace Agreement, including SLA/Minawi, SLA/Peace Wing, SLA/Abu Gasim (JEM/Peace Wing of Abdul Rahman Abu Risha), SLA/Free Will and the Movement of Popular Forces for Rights and Democracy (MPFRD). All armed groups committed themselves to releasing children as a priority. Reintegration programmes are commencing for children involved in the JEM Omdurman attack, as well as the children identified by SLA/Minawi in their agreement with UNICEF.

V. Response to grave violations

61. There has been significant progress during the reporting period, with the adoption of several pieces of national legislation that further strengthen the overall framework for child protection.

62. The Sudan Armed Forces Act, adopted on 5 December 2007, promotes the protection of women and children in armed conflict. The Act establishes 18 as the minimum age for recruitment and stipulates criminal penalties for individuals who recruit children or provide false information on enlistment or recruitment of a person below that age. It also outlines penalties for a range of violations of humanitarian and human rights law, including torture, killing, rape, sexual slavery or forced pregnancy, abduction and enslavement and the attacking of schools and hospitals.

63. Another major legal reform is the Child Act of 2008, which was drafted, inter alia, to meet international standards such as the Convention on the Rights of the Child and its two Optional Protocols. It is currently being reviewed by the Cabinet of Ministers. The Southern Sudan Child Act of 2008 was signed by the President of the Government of Southern Sudan on 13 October 2008. It contains provisions that relate to the age of criminal responsibility, which has been raised from 10 years to 12 years; it also addresses the issue of alternatives to child imprisonment, and stronger punishment for child abduction.

64. As part of the response to the grave violations highlighted above, the Sudanese authorities and the United Nations have been working closely to ensure training and

capacity-building throughout the territory. Advocacy efforts led by the National Council for Child Welfare resulted, in September 2007, in the establishment of Family and Child Police Units, modelled on the Family and Child Protection Unit in Khartoum, in all States of northern Sudan. On 16 June 2008, the National Council for Child Welfare, in collaboration with UNICEF and other partners, also launched a comprehensive child protection awareness campaign to address a wide range of concerns, including the protection of children from all forms of violence, exploitation, abuse and neglect. Between March and April 2008, the Committee for the Eradication of the Abduction of Women and Children, with the support of United Nations partners, successfully organized the return of over 330 Dinka women and children abducted in the 1980s from Southern Sudan to Southern Darfur.

65. The United Nations also supported various training and capacity-building activities led by the Sudanese authorities. This included training sessions on child protection and justice for children for government officials, SAF, SPLA and the Joint Integrated Units. They also targeted more than 164 police, judges, social workers and traditional leaders in six States in 2008.

VI. Recommendations

66. The following recommendations are based on a review of the two existing pertinent sets of conclusions and recommendations of the Security Council Working Group on Children and Armed Conflict and my previous reports on the situation of children in the Sudan. The general themes covered reiterate priorities in the current context after three years of the monitoring and reporting process in the Sudan under Security Council resolution 1612 (2005). The recommendations highlight critical practical measures in moving the process forward, articulate common agreement on priorities of key stakeholders and aim to foster more effective coordination among them.

67. I call upon all relevant parties, as a matter of priority, to implement the recommendations contained in my two previous reports on children and armed conflict in the Sudan (S/2006/662 and S/2007/520) as well as the related conclusions and recommendation of the Security Council Working Group on Children and Armed Conflict (S/2006/971 and S/AC.51/2008/7).

68. I reiterate my call upon the Government of National Unity and the Government of Southern Sudan to live up to the commitments they have made to end the recruitment and use of children in their forces in accordance with their obligations under international law as well as relevant national legislation. The Government of National Unity bears direct responsibility for the recruitment and use of children by both SAF and all aligned forces, and the Government of Southern Sudan bears direct responsibility for the recruitment and use of children in SPLA. Both must act to halt recruitment and actively seek to identify and release all children associated with their forces without delay, within the framework of Security Council resolutions 1612 (2005) and 1539 (2004) and the preparation of the action plans referred to therein.

69. I call upon all armed groups in the Sudan, immediately and without precondition, to cease the recruitment and use of children and to identify and release to the United Nations those children already in their ranks. All parties are required to enter into dialogue with UNAMID, UNMIS and UNICEF and to prepare time-

bound action plans to address the recruitment and use of child soldiers within the framework of Security Council resolution 1612 (2005) and on the basis of the criteria established for action plans.

70. In addition, all parties to the conflict should make specific commitments to the United Nations with a view to putting an end to all grave violations against children for which they are cited in my reports. Whenever possible, UNAMID, UNMIS and UNICEF should enter into dialogue with all parties to the conflict in order to facilitate the preparation and implementation of action plans, as stipulated in Security Council resolutions 1612 (2005) and 1539 (2004), and follow up and report on this aspect as well as on specific commitments to address other grave violations.

71. I am deeply concerned about the killing and maiming of children and other civilians in the course of military operations, including aerial bombardments, and I urge the Government of National Unity to make all efforts to protect children through strict adherence to the principles of distinction and proportionality in the conduct of hostilities.

72. I reiterate my deep concern that systematic sexual violence against girls and women continues with impunity, especially in the conflict-affected areas of Darfur. I strongly urge the Government of National Unity to adopt a comprehensive strategy to address sexual violence, which may include strengthening the capacity and coverage of the Family and Child Police Units; rigorous investigation and prosecution of such violations; greater support for prevention initiatives and response programming for victims; and the continuation of training and capacity-building of police and judicial officials and social workers on issues related to sexual violence. I call upon the donor community to support the authorities in this regard, and urge United Nations agencies and child protection partners to increase their prevention and response activities and effectively coordinate their efforts.

73. I condemn the widespread targeting of humanitarian workers and facilities, which has resulted in the killing of humanitarian workers in Darfur. I call upon all parties to abide by their international legal obligations to ensure the protection of humanitarian personnel and assets and urge the Government of National Unity to end impunity for such attacks by rigorously investigating and prosecuting the perpetrators of all such incidents.

74. I also call upon the Government of National Unity to facilitate unhindered and safe access by humanitarian organizations working on child protection issues to affected populations in Darfur and request that the Government of National Unity and the Government of Southern Sudan ensure freedom of movement of UNMIS personnel in the Abyei area to enable the implementation of its mandate to monitor and report on the use of children by popular defence forces and other armed groups within the framework of Security Council resolution 1612 (2005).

75. In the spirit of national reconciliation and the Comprehensive Peace Agreement, I urge the Government of National Unity and the Government of Southern Sudan to cooperate and to reach a high-level agreement in order to bring closure to the issue of children and women abducted during the conflict between the Government of Southern Sudan and SPLA in the 1980s and the early 1990s, as well as more recent cases of abduction of children.

76. I welcome the specific attention that the Disarmament, Demobilization and Reintegration Commissions of Northern Sudan and Southern Sudan have paid to the

disarmament, demobilization and reintegration of children. However, I urge them to accelerate the release of children associated with armed forces and groups and to establish, as a matter of priority, the requisite services for their reintegration. As a practical measure, I urge the Commissions to integrate the issue of children throughout their operational frameworks and guidelines and request United Nations entities to provide technical support, as appropriate, in this regard.

77. I urge the international donor community to support the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions, the National Council for Child Welfare, UNICEF and its child protection partners with the adequate and timely resources required for the effective long-term reintegration of children, and to support programmes for the prevention of and response to the recruitment and use of children and other grave violations.

78. I note the significant efforts undertaken by the Government of National Unity for the protection and release of the children associated with JEM who were detained in the aftermath of the attack on Omdurman in May 2008. I urge the authorities to consider children who have been associated with armed groups first and foremost as victims, placing emphasis on their psychosocial needs and their rehabilitation and reintegration into communities. Furthermore, I call upon the authorities, in line with the Convention on the Rights of the Child and accepted international practice, to abolish the death penalty against children regardless of the nature of their offences.

79. I welcome and commend the considerable efforts of the Government of National Unity and the Government of Southern Sudan to strengthen the national legislative framework for the protection of children, including through adoption of the Sudan Armed Forces Act and the Southern Sudan Child Act. I urge the respective administrations to prepare directives and programmes of action to implement these critical pieces of legislation, for which the United Nations may provide technical support, as appropriate. I also urge the Government of National Unity to adopt the Child Act 2008, which is currently under review by the Cabinet of Ministers, as a matter of priority.

80. I welcome also the practical measures by the Government of National Unity to establish Family and Child Police Units in all States in northern Sudan, modelled on the Family and Child Protection Unit in Khartoum. I urge the authorities to ensure that these units have the mandate and capacity to enforce national child protection legislation. I encourage the Government of National Unity to further strengthen this initiative by ensuring the prioritization of adequate resources for such units, the extension of the initiative to other parts of the country, as appropriate, and the provision of continued and systematic child protection training and capacity-building for both police and judicial officials.

81. I welcome the establishment of a joint coordination mechanism between the Government of National Unity and the United Nations on matters related to children and armed conflict and encourage the Government of National Unity and the Government of Southern Sudan to fully cooperate with the monitoring and reporting task forces established in the framework of Security Council resolution 1612 (2005).

82. In their capacity as co-Chairs of the monitoring and reporting task forces established under Security Council resolution 1612 (2005), UNAMID, UNMIS and UNICEF will need to ensure the strengthening and sustainability of this modality,

liaise with relevant non-governmental organizations and civil society networks and national institutions, as appropriate, and ensure effective coordination between the arrangements in Darfur and Southern Sudan and the Three Areas.

83. Given the regional dimension of the conflict, I reiterate the recommendation in my report on the situation of children and armed conflict in Chad (S/2008/532) that the respective United Nations country teams in the Sudan, Chad and the Central African Republic, as well as UNAMID, UNMIS, the United Nations Mission in the Central African Republic and Chad (MINURCAT) and the United Nations Peacebuilding Support Office in the Central African Republic (BONUCA) peacekeeping and political missions, dedicate the required resources to ensure that mechanisms are in place for information exchange and cooperation on cross-border child protection concerns such as the recruitment, release and reintegration of children.

84. In this regard, I remain deeply concerned about grave violations against children perpetrated by LRA across the borders of the Sudan, the Central African Republic, the Democratic Republic of the Congo and Uganda, and urgently request the entities noted in my recommendation paragraph 83 above to support the development of regional strategies to enhance monitoring, reporting and response to the grave violations committed by LRA.

85. I request my Special Representative for Children and Armed Conflict to undertake a follow-up visit to the Sudan to assess the situation for children first-hand, to facilitate dialogue with the parties to the conflict and to assess progress in the implementation of the pertinent recommendations of the Security Council Working Group on Children and Armed Conflict and the recommendations of my reports on the situation of children in the Sudan.



Security Council

Distr.: General
11 February 2009

Original: English

**Letter dated 10 February 2009 from the Chargé d'affaires a.i. of
the Permanent Mission of the Libyan Arab Jamahiriya to the
United Nations addressed to the President of the Security Council**

In my capacity as the representative of the current Chairman of the African Union, I have the honour to forward to you the communiqué adopted by the Peace and Security Council of the African Union at its 168th meeting, held on 5 February 2009 in Addis Ababa, concerning the situation in the Islamic Republic of Mauritania (see annex). I would be grateful if this communiqué could be circulated as a document of the United Nations.

(Signed) Ibrahim O. A. Dabbashi
Ambassador and Chargé d'affaires a.i.
Permanent Mission of the Libyan Arab Jamahiriya to the United Nations
Representative of the Chairman of the African Union

Annex to the letter dated 10 February 2009 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué of the 168th meeting of the Peace and Security Council

The Peace and Security Council of the African Union (AU), at its 168th meeting, held on 5 February 2009, adopted the following decision on the situation in the Islamic Republic of Mauritania:

1. **Recalls** the communiqué of its 163rd meeting held on 22 December 2008;
2. **Decides** that the sanctions envisaged in paragraph nine (9) of the Communiqué of its 163rd Meeting held on 22 December 2008, enter into force;
3. **Requests** the Commission to take the necessary steps for the effective implementation of the sanctions and to report regularly to it;
4. **Further requests** all Member States to scrupulously implement this decision;
5. **Stresses** that the entry into force of the sanctions should be accompanied by efforts of the AU and its partners involving all the Mauritanian parties towards a rapid return to constitutional order in Mauritania. Council **urges** the authorities borne out of the coup to extend their full cooperation to the AU Commission with a view to an immediate return to constitutional order and the quick resolution of the political crisis in the country;
6. **Decides** to remain seized of the matter.

Enclosure

[Original: English and French]

Communiqué of the 163rd meeting of the Peace and Security Council

The Peace and Security Council of the African Union (AU), at its 163rd meeting, held at the ministerial level in Addis Ababa, on 22 December 2008, adopted the following decision on the situation in the Islamic Republic of Mauritania following the 6 August 2008 coup d'Etat in that country:

Council,

1. **Takes note** of the Report of the Chairperson of the Commission on the situation in the Islamic Republic of Mauritania [PSC/MIN/Comm.3 (CLXIII)] and the outcome of the consultations with the various Mauritanian parties, as well as those of consultative and coordination meetings held at the initiative of the Commission between the AU, the League of Arab States, the International Organization of the Francophonie (OIF), the Organization of the Islamic Conference (OIC), the United Nations, and the European Union (EU) in Addis Ababa, on 10 and 21 November 2008. Council **also takes note** of the briefings by the representatives of the United Nations, EU, OIF, as well as the one by a representative of President Sidi Ould Cheikh Abdallahi;
2. **Further takes note** of the results of the high level mission to Mauritania, led by the AU, on 6 and 7 December 2008, particularly the commitment of General Mohamed Ould Abdel Aziz to release President Sidi Ould Cheikh Abdallahi without conditions, by 24 December 2008 at the latest;
3. **Takes note** of the release of President Sidi Ould Cheikh Abdallahi and considers that this development partially responds to the demands of the international community but is not sufficient for a return to constitutional order;
4. **Encourages** the Chairperson of the Commission and the Commissioner for Peace and Security to continue to deploy efforts towards the return to constitutional legality in Mauritania;
5. **Expresses its deep concern** with the lack of political will and the obstinance to remain in power despite the efforts deployed to date with a view to facilitating the return to constitutional legality in Mauritania;
6. **Recalls** the relevant provisions of Communiqué PSC/MIN/Comm.2 (CLI) adopted at its 151st meeting held in New York, on 22 September 2008. In this regard, Council **reiterates its firm condemnation** of the coup d'Etat and all measures taken by its authors to consolidate the situation born out from this coup d'Etat and **reiterates** the legitimacy of the constitutional order represented by the democratically elected institutions from the legislative and presidential elections respectively held in November 2006 and March 2007;
7. **Recalls also** the provisions of the Communiqué of its 156th meeting, held on 11 November 2008, which, *inter alia*, **requests** the Commission to submit to it, as soon as possible, concrete measures to be put in place on the basis of Communiqué

PSC/MIN/Comm.2 (CLI) cited above and in accordance with the relevant provisions of the Lomé Declaration of July 2000 on Unconstitutional Changes of Government;

8. **Further recalls** relevant provisions of the AU Constitutive Act, Decision AHG/142 (XXXV) adopted Algiers in July 1999, the Lomé Declaration of July 2000 and the Protocol Relating to the Establishment of the Peace and Security Council on Unconstitutional Changes of Government, as well as the African Charter on Democracy, Elections and Governance ratified by Mauritania last July, thereby becoming the first Member State party to this instrument;

9. **Decides** that, pursuant to the pertinent provisions of the Lomé Declaration of July 2000 and the Protocol Relating to the Establishment of the Peace and Security Council on Unconstitutional Changes of Government, if by 5 February 2009, constitutional order is not restored, Council will impose measures, including targeted sanctions, in particular visa denials, travel restrictions and freezing of assets, to all individuals, both civilian and military, whose activities are designed to maintain the unconstitutional status quo in Mauritania. Council **also decides** to communicate the said measures to the UN Security Council for it to impart to them a universal character, in light of the United Nations Security Council Presidential Statement of 19 August 2008;

10. **Underlines** the importance of the support of the international community to reinforce the effectiveness of the action of the AU. In this respect, Council **requests** the Chairperson of the Commission to formally seize all Member States of the AU, the United Nations, the League of Arab States, the OIF, the OCI, the EU and all other actors concerned with the view to requesting their support in the framework of the continuous efforts aimed at facilitating the return to constitutional order;

11. **Decides also** to communicate the present decision to the UN Security Council for it to continue, in the light of its Presidential Statement of 19 August 2008, to actively support the current efforts of the African Union;

12. **Encourages** the Chairperson of the Commission to pursue his efforts with the Mauritanian parties and his consultations with partner international organizations of the AU with the view to promoting the return to constitutional order in Mauritania within the deadline stipulated in the Lomé Declaration;

13. **Decides** to remain seized of the matter.

**Security Council**

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10 February 2009

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Eighteenth progress report of the Secretary-General on the United Nations Mission in Liberia**I. Introduction**

1. By its resolution 1836 (2008), the Security Council extended the mandate of the United Nations Mission in Liberia (UNMIL) until 30 September 2009, and requested me to report on progress made in achieving the core benchmarks set out in my report of 19 March 2008 (S/2008/183) and any subsequent refinements recommended. It also requested me, in view of the extent of that progress, to recommend any further adjustments to the military and police components of UNMIL and to include long-range scenarios for a phased drawdown and withdrawal of the UNMIL troop contingent, as the situation would permit and without compromising the security of Liberia. The Security Council also asked for a comprehensive assessment of the progress towards building the capacity of the Liberian National Police and the contribution of UNMIL towards that goal, as well as recommendations on possible adjustments needed to UNMIL police training or concept of operations. The present report covers the above and also provides an update on major developments in Liberia since my report dated 15 August (S/2008/553).

II. Major developments**A. Political situation**

2. President Ellen Johnson-Sirleaf's six-year tenure reached its midpoint on 16 January. The relationship between the legislative and executive branches has continued to improve, allowing for the adoption of several key legislative bills, including the Defence Act and the Liberia Anti-Corruption Commission Act. However, other important draft bills are pending, owing partly due to the suspension of the Senate's President Pro Tempore. The leadership dispute in the Senate seriously hampered the work of the Legislature during the second half of 2008.

3. The National Elections Commission drafted and submitted to the Legislature a number of constitutional amendments, which were deferred to the present legislative session to allow further consultations. These amendments are particularly important because, while the 2005 elections were conducted under the Accra Comprehensive Peace Agreement that suspended parts of the Constitution and established ad hoc



arbitration mechanisms, the 2011 elections will be conducted in full accordance with the Constitution. A comprehensive plan for the preparation and conduct of the elections, including the required financial and technical support, has yet to be developed.

4. Amendments to the Constitution require approval by referendum, conducted at least a year after adoption by the Legislature. If the National Elections Commission draft bills are passed, a decision needs to be made on whether these will go to referendum separately or be part of a broader constitutional reform. On 2 February, the President constituted a constitutional reform task force, in accordance with a recommendation of the Governance Commission, mandated to oversee political and legal reform. It is important to urgently address the issue, as the constitutional reform process could have serious implications for the preparations of the 2011 elections. Furthermore, priority should be given to strengthening political parties and revising registration rules to facilitate broader national platforms. Draft legislation to this effect has been submitted by the National Elections Commission to the Legislature.

5. Although the Government has undertaken some reconciliation initiatives, and a number of activities are being planned to promote dialogue at the grassroots level, tensions between ethnic groups and communities remain a concern, especially given the recent escalation of some disputes over land or natural resources. On 13 October, the Truth and Reconciliation Commission released the findings of its conflict mapping survey, identifying land and property disputes as key threats to Liberia's fragile peace. The following month, a long-standing land dispute between two communities in Nimba County erupted into violent confrontation, underscoring the urgency with which the Government must address the often related issues of land reform and reconciliation. If not resolved, such tensions and conflicts could be manipulated for political or other motives, particularly in the period leading up to the 2011 elections.

6. The Truth and Reconciliation Commission continued its public hearings, and the first volume of its report, containing an overview of the root causes of the Liberian conflict, was sent to the Legislature and the President in December 2008. Subsequent volumes of the report are expected to be released in 2009. Reactions to the report's recommendations, including the possible establishment of a court to try persons bearing the greatest responsibility for serious crimes and gross human rights violations committed during the conflict, could present security challenges that would require close monitoring. At the same time, adequate follow-up mechanisms, including a functioning independent national commission on human rights, should be put in place before the conclusion of the work of the Truth and Reconciliation Commission.

7. During the period under review, the allocation of \$15 million from the United Nations Peacebuilding Fund was fully programmed in support of the priority projects of the Government, including those related to reconciliation and conflict management. A peacebuilding office was established within the Ministry of Internal Affairs in December for the purpose of developing national capacity and ownership of the peacebuilding process.

B. Security situation

8. The overall security situation in Liberia remained relatively stable, but continued to be characterized by an underlying fragility, partly owing to weak national security institutions. The achievement of a steady state of security in Liberia depends both on the level of security risks and national capacity to handle possible fallouts. There continues to be a sustained prevalence of law and order incidents, including armed robbery, mob violence, rape and attacks on on-duty Liberian National Police officers. The number of incidents has fluctuated during recent months, and increased during the holiday period.

9. Tensions between ethnic or regional groups are often linked to disputes over access to resources. In that regard, the high number of unemployed or underemployed youth remains a particular challenge, since they constitute a volatile group that could be used by spoilers seeking to undermine stability.

10. Drug trafficking in the subregion remained a serious concern. There were several seizures of large quantities of marijuana, and there are indications that marijuana cultivation in Liberia is exceeding domestic consumption. In addition to drug-related crime, particularly armed robbery, the possible trafficking of drugs to neighbouring countries points to the existence of cross-border networks that could be utilized for other purposes, including trafficking in light weapons. The limited capacity of national authorities to control the sea and land borders leaves the country vulnerable to international organized crime networks.

11. In October, UNMIL had to quell violent disturbances involving ex-combatants in Nimba, Grand Cape Mount and Grand Gedeh counties caused by misunderstandings regarding reintegration benefits and intended beneficiaries of a programme to assist the final caseload of former combatants who had not benefited from reintegration opportunities. On a positive note, the final phase of the reintegration and rehabilitation programme will be completed by April 2009, ending all targeted disarmament, demobilization and reintegration activities in Liberia. At the same time, many ex-combatants stay connected through local networks, and some are involved in illegal economic activities, including illicit mining and rubber tapping.

C. Economic situation

12. The Government has remained focused on the implementation of deliverables under each of the four poverty reduction strategy pillars: (a) security; (b) economic recovery; (c) rule of law; and (d) infrastructure and basic services. Each poverty reduction strategy pillar working group has been tasked to monitor progress closely and help overcome practical implementation challenges. At the macro level, the Liberia economy was expected to have grown by around 7 per cent in 2008, down from 9.5 per cent in 2007, owing to a general decrease in commodity prices and slow progress in the commercial forestry and mining sectors. Nominal gross domestic product (GDP) was estimated at \$871 million in 2008, with a per capita GDP of \$221. Owing to the rising food and fuel prices, the trade deficit doubled during 2008 and the 12-month inflation rate peaked at 22 per cent in October. However, with the sharp decline in import prices since October, the 12-month rate dropped to 9.4 per cent at end-December and the slowdown in inflation is expected

to continue in 2009. National revenue collection rose nearly 40 per cent in the last fiscal year, although this must be seen in relation to the still-modest revenue target of \$278 million this year. The Government has maintained its policy of a balanced budget.

13. The global financial crisis is expected to reduce the levels of foreign direct investment, exports and remittances, which would likely slow the rate of economic growth in Liberia. Liberia has undertaken a number of economic reform initiatives, and achieved all of the quantitative targets of the International Monetary Fund-supported programme through June 2008. However, while Liberia has made gains in its external competitiveness, significant structural bottlenecks remain, including the lack of infrastructure, delay in obtaining legislative support for proposed public financial management reforms, and significant capacity constraints. It will also be critical for the Government to ensure a transparent and predictable investment climate, including enforcing necessary anti-corruption measures.

14. The Government managed to mitigate the effect of recent high food prices by maintaining a low tariff regime, ensuring sufficient supply through bilateral agreements, and is taking steps to develop commercial agriculture. These efforts have been supported by a joint Government/United Nations food security and nutrition programme.

15. An infestation of highly destructive worms that attacked crops and vegetation in Bong, Gbarpolu and Lofa counties led the President to declare a State of National Emergency on 26 January 2009. The Government reacted swiftly to establish coordination mechanisms and ensure an adequate response. However, technical expertise and materials to deal with the infestation are limited within Liberia.

D. Humanitarian situation

16. The humanitarian situation continued to improve, although remote communities often live in precarious circumstances with limited access to basic services. Funding for humanitarian activities is significantly reduced from previous years and is expected to decrease further in 2009 as a result of the global economic situation. The humanitarian appeal for Liberia, launched in early 2008, had received 61 per cent of the \$43.8 million requested as at 31 December. That included a donation of \$1.9 million from the United Nations Central Emergency Response Fund to support emergency distributions of pesticides and fertilizer to improve the 2008 crop harvest to mitigate food insecurity. The consequences of rising food prices and the overall economic downturn continue to be monitored, especially those related to nutrition and food security.

17. Large-scale assisted repatriation to Liberia concluded in mid-2007. However, after disturbances in Ghana involving Liberian refugees in early 2008, another voluntary return operation was initiated in April 2008. By end January 2009, a total of 9,775 returnees had been repatriated, with returns from Ghana to continue through March. Humanitarian partners have updated regional contingency plans for potential cross-border movements from Côte d'Ivoire and Guinea.

E. Regional dimension

18. The situation along the borders of Liberia remained relatively calm but unpredictable. The death of President Lansana Conté in December 2008 and the subsequent military coup in Guinea contributed to the uncertainty of the security environment in Liberia, owing to the long-standing cross-border relationships and ethnic affinities between the peoples of the two countries, which had played a significant role during the Liberian civil conflict. The closure of a Guinean border post in mid-January 2009, although an isolated case, underscored the unpredictable environment along the border. Furthermore, the announcement that elections will be organized in 2009 could mean that Côte d'Ivoire and Guinea will hold elections within similar time frames.

19. The postponement of the elections in Côte d'Ivoire and limited progress in the Ivorian disarmament process, including the dismantling of the militias in the west of that country, also exacerbate the fragile situation in the region. There has been an increase of unsubstantiated reports in the Liberian media about armed groups crossing the border from Côte d'Ivoire and Guinea, creating serious concern among Liberian security agencies and public anxiety. A joint assessment by the United Nations Operation in Côte d'Ivoire (UNOCI), UNMIL and the United Nations Development Programme concluded that approximately 1,500 to 2,000 Liberian ex-combatants remain in western Côte d'Ivoire near the Liberian border, and need to be closely monitored. The level of border monitoring has been increased, including through joint operations of UNMIL with the security forces of Sierra Leone and Guinea, as well as with UNOCI.

III. Implementation of the mandate of the Mission

A. Security sector reform

National security strategy and architecture

20. Following the completion of the national security strategy, a detailed implementation matrix, covering all security and law enforcement agencies, including the Armed Forces of Liberia and the Liberian National Police, was finalized and approved as the road map for security sector reform. Among the key challenges are significant capacity deficits, dependence on donor funding and the need to establish county security coordination mechanisms. At the national level, the division of labour between security institutions outlined in the national security strategy needs to be effectuated, including through the adoption of pending intelligence legislation. Increased coordination capacity within the designated institutions will also be required.

Armed Forces of Liberia

21. The United States of America continues to lead international support for the building of the new Armed Forces of Liberia, which reached its planned strength of 2,000 troops in August 2008, when the last batch of recruits completed basic training. The first battalion was activated at the same time, followed by the second battalion in December 2008. Depending on the outcome of the readiness training evaluation, currently scheduled from July to September 2009 for the first battalion,

initial integrated training with UNMIL could begin during the first quarter of 2010. Work has also commenced on an overarching national defence strategy within the Ministry of Defence.

22. It will take more time, probably several years, to develop the command and control structure of the Armed Forces of Liberia. In the meantime, a number of key positions are filled by seconded military officers from the Economic Community of West African States (ECOWAS) countries. Furthermore, as the Liberian National Police reform process illustrates, the transition from undertaking joint planning and operational activities with international partners to being fully independently operational will be a challenge for all security institutions, including the Armed Forces of Liberia, which is not expected to reach this level before 2011.

23. There have been a number of incidents of indiscipline and failure to respect the rule of law by Armed Forces of Liberia soldiers. In order to prevent impunity within the new army, all incidents of indiscipline must be adequately addressed by the appropriate national authorities, as was the case in September 2008, when 16 soldiers were dismissed in accordance with military guidelines for acts of insubordination after rioting in their barracks.

Liberian National Police

24. The reform and strengthening of the Liberian National Police made progress, in particular with the formulation of a five-year Liberian National Police strategic plan, providing a comprehensive development framework. The Government, together with UNMIL and other international partners, is currently preparing a corresponding support programme to facilitate the implementation of the plan. In addition, training and infrastructure development continue, and the validation exercise to confirm the deployment status of all Liberian National Police officers was completed with 3,546 officers verified at their posts. However, the achievement of full operational capability remains a major challenge. The Liberian National Police has not yet reached a level of sustained operational effectiveness to independently ensure public safety and security, and still requires support from UNMIL police advisers and formed police units to carry out even routine patrolling.

25. Severe logistical and infrastructure limitations and insufficient funding to cover operational and recurrent costs continue to be major constraints. Although deployment numbers have increased outside Monrovia and several police stations have been rehabilitated, the police presence beyond county capitals remains limited. This is largely owed to a lack of mobility and absenteeism among Liberian National Police officers, including personnel abandoning their posts to collect salaries in Monrovia. In the capital, the ability of the Liberian National Police to respond adequately in many high crime areas of the capital also remained hampered by the lack of mobility and basic patrol gear.

26. Significant limitations also remain with respect to individual competencies, including management capacity and specialized skills. On a positive note, the capacity of the National Police Training Academy has increased. Although most training programmes remain dependent on external support, most courses are now taught by trained Liberian National Police instructors. Work is ongoing to ensure that funding for the academy is included in next fiscal year's budget.

27. Weaknesses related to command and control structures, including the capacity to plan and execute operational activities, and continued problems of misconduct and discipline are being addressed. Further, the capacity of the Professional Standards Division within the Liberian National Police to investigate complaints and misconduct has increased significantly over recent months. It is important to ensure that its recommendations are implemented and that disciplinary actions are effectuated.

28. Although many challenges remain, the development of the 500-strong Liberian National Police Emergency Response Unit is now progressing, following months of funding shortfalls and lack of equipment. Recruitment for the Unit has been slow, partly owing to a delay in the finalization of incentives for its personnel. So far, two classes with a total of 139 officers, including one female officer, have graduated, while the third class, consisting of 70 officers, is currently undergoing training. The Unit represents a well-trained armed police component, but requires additional practical experience to increase operational effectiveness. The Unit has been utilized in limited joint operations planned and implemented with UNMIL police advisory support. On several occasions, it has arrested targeted criminals, including armed robbers and escaped prisoners, which has been positively received by the public. While general assessment of the Unit's performance has been good, Liberian National Police leadership and UNMIL have jointly identified some areas of concern, primarily with respect to the use of firearms, the misuse of assets, and insubordination. Special attention has been given to incidents where firearms have been discharged, all of which were thoroughly investigated.

29. As part of the effort to restore public confidence in the police, community police forums were established in all counties to strengthen contacts between the Liberian National Police and local communities. These networks have provided useful information to police investigations in a number of cases, and appear to have contributed to an improved public perception of the Liberian National Police in some counties.

30. UNMIL is continuing to support the restructuring of the Liberia Bureau of Immigration and Naturalization, including through the rehabilitation of its offices in the counties. The Bureau has received limited assistance from donors, but preliminary discussions are ongoing about possible UNMIL support for the development of a strategic plan. This would provide a comprehensive framework for the organizational strengthening of the Bureau, thereby making it easier for donors to contribute.

B. Strengthening judicial, legal and corrections institutions

31. The convening of the National Rule of Law Retreat in September 2008 was a major step forward, being the first time the three branches of government engaged in dialogue regarding rule of law issues. A resolution committing all branches to ongoing coordination was endorsed. The Judiciary has since engaged in drafting a three-year strategic plan, while a similar process for the Ministry of Justice is scheduled for the first half of 2009. Although important, the results of the retreat are only an initial step. Substantial challenges remain, including shortages of qualified personnel, insufficient funding, lack of infrastructure and equipment, poor administration and case flow management, corruption and the need for law reform.

32. The appointment of 10 legally qualified county attorneys has improved the quality of prosecutions, but the absence of public defenders has reduced the impact, as trials cannot proceed without defence counsel. One third of the counties have not been assigned public defenders, while in the others they are mainly restricted to county capitals, and legal advice clinics are operating in only three counties. While the launch of the Judicial Training Institute in June 2008 was an important step to address the shortage of qualified staff, it has yet to become fully operational, primarily because of lack of budgetary funding. UNMIL is assisting the Ministry of Justice to develop review mechanisms to address poor case flow management in the criminal justice system, which continues to undermine public confidence and leaves large numbers of prisoners in prolonged pre-trial detention.

33. The Liberian corrections sector is still characterized by weak physical infrastructure and low budgetary allocation. The sector is additionally strained by massive overcrowding in most facilities. There were 31 separate incidents of prison breaks during the reporting period. The most serious was the riot and subsequent escape of 163 prisoners from Monrovia Central Prison in December 2008, of which 85 remain at large. However, the Government is focusing increasingly on the sector, and a draft Bureau of Corrections strategic plan is currently being reviewed. In addition, two new correction facilities were completed and rehabilitation work at seven others was conducted. Of the 500 officers targeted for the Liberian corrections system, 209 have been trained and deployed, with recruitment of the remaining 291 dependent on additional funding.

34. Through the Joint Programme on Sexual and Gender-based Violence, developed by the Government and the United Nations, a special court was established to address the significant number of sexual and gender-based violence offences. This is a sign of the Government's commitment to address sexual and gender-based violence; however, the court remains dependent on external donor funding. Discussions have also begun to explore policy options regarding the relationship between formal and informal/traditional justice systems, which are used by the vast majority of Liberians.

C. Promotion of human rights

35. There is growing Government commitment to address human rights issues, including through the designation of a specific Court with exclusive jurisdiction over the crimes of rape and other sexual offences. Also, strategic planning towards judicial reform is seen as an important advance towards improving institutional protection of human rights. However, the overall capacity of the Government to address human rights issues remains limited, due in particular to the constraints within the relevant judicial and security institutions highlighted in the present report. The lack of human rights awareness among the general population, especially in rural areas, also constitutes a serious challenge to the promotion and protection of human rights.

36. Harmful traditional practices, including trials by ordeal, ritual killings and female genital mutilation, continue to be widely practiced, in some cases with the knowledge or encouragement of local authorities. The conviction of 14 persons for a murder committed in the course of a trial by ordeal in November 2007 was a positive development. However, the presidential clemency granted to them in

September 2008, following an appeal made by the victim, perpetrators, County Legislators, local leaders and communities, illustrates how deeply entrenched such practices are. Furthermore, owing to limited access to education, health and social welfare services, a large percentage of the population remain unable to realize their economic and social rights.

37. The independent national commission on human rights has yet to be established, partly owing to a delay in the adoption of amendments to provisions in the Act establishing the commission. In addition, the Government has expressed its intention to develop a national human rights action plan, which will be supported by the Mission, although the process has not yet been initiated.

D. Consolidation of State authority

38. There has been some progress in the consolidation of State authority, with an increased presence of public officials throughout the country, the renovation of a majority of county administrative buildings, and the strengthening of coordination and monitoring structures, especially at the county level. The reach and effectiveness of State authority, however, is still limited, especially in remote areas, owing to a shortage of adequately trained officials, low incentives and limited infrastructure.

39. The Liberian Institute of Public Administration and the Ministry of Internal Affairs, supported by the United Nations County Support Team project, have engaged in training local government officials, with a focus on implementation of county development agendas. The establishment of County Development Funds for local development initiatives has marked an initial step towards decentralization, although in some cases management of the Funds was the subject of extensive corruption allegations, leading the Government to request the General Audit Commission to examine accounts and procedures.

E. Governance

40. Over the past months, President Johnson-Sirleaf has frequently underlined the importance of governance reforms, and in particular the need to fight corruption, which she declared "public enemy number one". The President has noted that most public institutions inherited by her Government were based on a corrupt and criminalized value system. The issue continued to attract widespread public attention, with allegations of corruption against government officials and civil servants both at national and local levels. Corruption has the potential to seriously undermine the development gains achieved, if not properly addressed. The Government, in a number of cases where clear evidence was provided, has suspended or dismissed civil servants, including a County Superintendent, Ministry personnel and senior Central Bank officials. Trials continued against Charles Gyude Bryant, former Chairman of the National Transitional Government of Liberia, for the alleged misappropriation of \$1 million, and against Edwin Snowe, former Speaker of the House of Representatives, for the alleged theft of \$1 million of public funds.

41. The President has emphasized that, although they should not be used as an excuse to delay anti-corruption efforts, audits and investigations must follow

established procedures to ensure due process. The Legislature passed the Anti-Corruption Act and the Liberia Anti-Corruption Commission was established; however, it is not yet fully operational and key supporting legislative bills remain to be enacted, including the Public Service Code of Conduct. In addition, the General Audit Commission recently submitted reports on 14 public sector institutions and is expected to undertake audits of high risk public transactions in early 2009, including of the Ministries of Health, Education, Public Works, and Lands, Mines and Industries. These efforts were supplemented by the inauguration of the Liberia Extractive Industries Transparency Initiative, aimed at ensuring transparency in revenue and royalty payments, and continued advances made under the Governance and Economic Management Assistance Programme. Accountability, transparency and oversight weaknesses within public institutions are, however, closely linked to overall capacity constraints and the need for comprehensive civil service and public financial management reforms and modernization.

42. The Governance Commission submitted to the Legislature a draft Land Commission Act to address conflicts over land ownership. The continued delay in adopting the legislation is a concern, given the contentious nature of most land disputes, many of which have led to violent confrontations between opposing groups and communities.

F. Management of natural resources

43. The Kimberley Process Certification Scheme for diamonds continues to be operational, although challenges remain owing to poor infrastructure and inadequate security and administrative coverage in mining areas. The global financial crisis could threaten the integrity of the Scheme, as miners and brokers become tempted to sell to unofficial buyers. Progress has been made towards the establishment of a mining cadastral system and in the drafting of a new mineral exploration regulation, aiming to improve State control over mining areas. However, the establishment of permanent regional offices of the Government Diamond Office has been delayed, making monitoring of mining activities and compliance with licensing requirements a challenge. In addition, negotiations have concluded for a projected \$2.6 billion foreign investment to bring the iron ore deposit in Bong County into production within the next two years, including an agreement to recondition parts of the Freeport in Monrovia and to construct a hydropower plant. Work at the iron ore concession in Nimba County continues, although delays have been reported owing to diminished global demand.

44. The Forestry Development Authority awarded the first three forestry management contracts, encompassing 235,876 hectares in three counties, for a contract period of 25 years. Bids have been invited for an additional four, covering a total of 771,390 hectares in seven counties. The management of the forestry sector still faces a number of challenges, including the need to harmonize forestry regulations with the National Forestry Reform Law of 2006 and the allocation of commercial concessions. With respect to community rights to forest lands and resources, legislation has been delayed because of difficulties in striking a balance between community, environmental and commercial interests.

45. The Government has made progress in regulating the rubber market to lower incentives for rubber theft, including the imposition of a moratorium on the export

of unprocessed rubber. However, there is limited government capacity to enforce the new measures. Additionally, planning has been revitalized to address the situation at Sinoe Rubber Plantation, which continued to be operated informally, including by an organized network of former combatants. After a period of extraordinary increases in rubber prices, the global economic downturn has severely cut the price, contributing to sometimes violent confrontations on large plantations, where salary cuts and layoffs have been made.

IV. Cross-cutting issues within the Mission

A. Public information

46. UNMIL continued to support the Government to communicate key messages to the population, primarily through UNMIL Radio and community outreach activities. Among other things, messages promoted reconciliation, especially with regard to the Truth and Reconciliation Commission, and the strengthening of the rule of law and good governance, including anti-corruption and anti-crime efforts. UNMIL has also worked to improve the public image of the national police, emphasizing the role of the media in promoting Liberian National Police activities.

B. HIV/AIDS

47. In addition to conducting trainings for its personnel, UNMIL continued to collaborate with the Government to raise awareness more broadly, including through UNMIL Radio. The joint United Nations team on AIDS assisted with the amendment of the public health law.

C. Gender

48. The Government, with United Nations support, continues to implement the national plan of action on gender-based violence. The Ministry of Gender also finalized the Liberia national action plan on the implementation of Security Council resolution 1325 (2000) on women, peace and security. Furthermore, Liberia submitted its first report on the Convention on the Elimination of All Forms of Discrimination against Women. Orientation to strengthen gender mainstreaming in the implementation of the mandate of the Mission, in accordance with resolution 1325 (2000), was given to 17 gender focal points from UNMIL sections, 13 women and 4 men.

D. Personnel conduct and discipline

49. UNMIL continues to focus on strategies to prevent, report and effectively respond to all categories of United Nations personnel misconduct by implementing United Nations policies and procedures on standards of conduct, including the Secretary-General's zero tolerance policy on sexual exploitation and abuse. During the reporting period, there were 14 serious misconduct cases reported, including 9 allegations of sexual exploitation and abuse, and over 78 minor misconduct cases. The majority of minor misconduct cases were alleged thefts, which continue to

increase. Of the sexual exploitation and abuse cases, the Office of Internal Oversight Services referred one case back to the Mission, while eight are pending.

E. Security and safety of United Nations personnel

50. Mission personnel continued to experience security and safety hazards. Safety concerns for both national and international United Nations employees are related primarily to crime, in particular armed robbery, violence and mob justice, traffic accidents and health threats, including malaria. Between September 2008 and January 2009, one UNMIL national staff member, five military personnel and one police staff member died as a result of illness, vehicular accident and accidental discharge of a weapon, respectively.

V. Mission deployment

Military component

51. By its resolution 1836 (2008), the Security Council approved my recommendation to reduce the military component of UNMIL by 1,460 troops during the second phase of the UNMIL drawdown, but brought the completion date forward from September 2008 to March 2009. Accordingly, one infantry battalion has been withdrawn along with two sector headquarters, military observers and various support elements. On 16 January, the Mission was reconfigured into two sectors, which will leave the Mission troop strength at 10,231 by 31 March 2009. UNMIL continued to provide security for the Special Court for Sierra Leone and has also taken over administrative and logistical support to the Court following the completion of the mandate of the United Nations Integrated Office in Sierra Leone (UNIOSIL) on 30 September 2008.

Police component

52. As at 3 February, UNMIL police strength stood at 1,226, including 471 police advisers, 722 formed police unit officers, 24 correction officers and 9 immigration officers. Of the two additional formed police units, authorized by resolution 1836 (2008), the unit from Jordan arrived on 29 January 2009, while the unit from India is expected during the first quarter of 2009.

VI. Recommendations

Benchmarks

53. The Mission continued to monitor progress towards meeting the drawdown benchmarks, as presented in my report of 19 March 2008 (S/2008/183), using them as a tool to prioritize and monitor work, together with the Government and the wider United Nations family in Liberia, in support of national priorities. Section III of the present report provides the status of specific indicators, including progress towards achieving the independent operational capability of the Liberian National Police and the Armed Forces of Liberia, the strengthening of rule of law institutions and increasing the capacity of Liberian institutions, at both national and local levels. In compliance with resolution 1836 (2008), refined benchmarks are presented as

annex I to the present report. Adjustments to the benchmarks relate primarily to the indicators for the Armed Forces of Liberia and the Liberian National Police and to preparations for the 2011 elections. The restoration of effective State authority throughout the country has also been identified as a core benchmark.

Military component

Drawdown phase 2

54. The recommendations for phase 2 of the UNMIL drawdown, put forward in my previous report and subsequently approved by the Security Council, were based on a technical assessment mission led by the Department of Peacekeeping Operations in June 2008. It included analysis of the main threats to peace and stability and the capacity of national institutions to deal with such threats. While some institutional progress has since been achieved, it has not exceeded the developments anticipated by the technical assessment mission in June. With respect to the regional dimension, the situation has deteriorated as a result of the coup in Guinea and the delays encountered in the Ivorian electoral process. My recommendations on troop reductions for the second phase had been based on the expectation that peaceful elections would be conducted in Côte d'Ivoire in 2008. However, the situations in Côte d'Ivoire and Guinea continued to be characterized by uncertainty.

55. While the reduction of 1,460 troops during phase 2 will be completed by 31 March, as requested by the Security Council, the movement and consolidation of certain UNMIL force elements will continue beyond this date, and will have to be completed during the rainy season. In order to meet the March deadline, logistic priority has been given to redeploying combat elements to facilitate repatriations. In addition, with expanded areas of responsibility and increased numbers of troops under their command, the new sector headquarters have to establish procedures and routines, taking the multinational composition into account.

Drawdown phase 3 and long-term scenarios

56. It is envisaged that phase 3 of the UNMIL drawdown will begin in September 2009, following a period of observation and consolidation of troop deployment after the completion of phase 2 in March. The pace of the third phase of the UNMIL drawdown, and the subsequent initiation of the Mission withdrawal, should be based on progress made towards the strategic objective of Liberia achieving a steady state of security. The key determining factors will be the capability of security institutions, in particular the Liberian National Police and the Armed Forces of Liberia, to operate independently of UNMIL, and developments in the subregion. The achievement of long-term peace and stability in Liberia will also depend on wider progress within the country, in particular ensuring a functioning rule of law system and the provision of viable economic opportunities for the population at large.

57. Despite the improvements made, the national security institutions, including the Liberian National Police and the Armed Forces of Liberia, are still some way from being fully independently operational. UNMIL continues to be required to provide advisory and mentoring services and to participate in the planning and execution of joint operational activities. In addition, backstop capacity from UNMIL military and police components will continue to be required to contain critical security situations. As the 2011 elections draw closer and the political process

intensifies, underlying tensions are expected to add to the challenges faced by national security institutions. Regarding the regional dimension, elections are likely to be scheduled in both Guinea and Côte d'Ivoire during phase 3 of the Mission drawdown. The completion date of the Special Court for Sierra Leone has been set at October 2010, while work to complete enforcement of sentencing agreements with other countries is ongoing. The Mission will continue to provide security to the Special Court, while consultations will be initiated with the Government of Sierra Leone and the Court to discuss future security arrangements.

58. On that basis, it is UNMIL's preliminary assessment that the Mission will require, at the end of phase 3, a military presence in each of the 15 counties, as well as troops deployed near strategic locations, including Capitol Hill, Monrovia Freeport and Roberts International Airport, key crossing points on the borders with Guinea and Côte d'Ivoire, as well as other sensitive areas, including the Liberian Agriculture Company and the Sinoe Rubber Plantation. A quick reaction force capability should also be retained. While national institutional capacity has increased since the last elections in 2005, this preliminary assessment is also based on the assumption that the Mission will be required to provide significant support to the national authorities in organizing the 2011 elections, both in terms of logistics and security.

59. Preliminary planning based on this military estimate indicates that the military component could be reduced by approximately 2,000 troops by the end of phase 3, including the reduction of two full infantry battalions and other elements, which would bring the total strength of the UNMIL force to 8,225 personnel by December 2010. Due to the rough terrain and the long rainy season in Liberia, as well as the expectation that UNMIL will provide assistance for the 2011 elections, the Mission has logistical challenges that require it to maintain sufficient and flexible support capacity, including aviation, engineering, transport and medical units. That level should allow UNMIL to continue to discharge its mandate of maintaining a stable and secure environment throughout the country, deal with potential spoilers and upheavals during the electoral process and address possible fallouts, should the subregional situation deteriorate.

60. As noted in my previous report, these preliminary planning figures should be subject to a thorough review by a technical assessment mission led by the Department of Peacekeeping Operations, which the Secretariat will deploy to Liberia before the end of the current mandate of UNMIL. It is expected that, following the completion of phase 3 in December 2010, the Mission would maintain its military strength at 8,225 until after the 2011 elections. Based on the situation after the elections, the Mission would enter phase 4 of its drawdown and final withdrawal. Details on planning for that phase would also be developed by the technical assessment mission.

Police component

61. In the light of the remaining challenges related to the national police, it is the Mission's preliminary assessment that its police component will be required to remain at its current strength during phase 3. It will continue its operational support to the Liberian National Police patrols, particularly in high crime neighbourhoods, and will provide critical backstop capacity to the Liberian National Police when responding to incidents of civil unrest. The Mission will also continue to provide

operational advice with an increased emphasis on patrol supervision, station command, community-based policing and Emergency Response Unit support, and will provide technical advice to the Liberian National Police leadership. In addition, assistance will be required to facilitate effective implementation of the Liberian National Police strategic plan and development programme, including support for community-based police activities.

62. On that basis, it is the preliminary plan not to undertake any significant reductions in the police advisory strength of the Mission and to maintain all seven formed police units, given their critical backstopping capability, until after the 2011 elections. The assessment of the operational capacity of the Liberian National Police, and its sustainability, will be based on the progress made in relation to the drawdown benchmarks and indicators presented above. If sufficient progress is achieved, it might be possible to resume the reduction of police advisers before the elections. The aforementioned technical assessment mission would also consider future levels of the UNMIL police component.

VII. Observations

63. During the reporting period, the Government of Liberia has continued to make steady progress towards achieving the objectives of the poverty reduction strategy, and to ensure deliverables within all four pillars of the strategy. Despite the sharp increase in food and fuel prices in 2008, many of the potential negative effects were mitigated by proactive policy initiatives. The Government has furthermore aimed to ensure progress on several important reform agendas, including the fight against corruption, public financial management reforms and the development of overall strategies for strengthening the Liberian National Police and the rule of law sector. However, limited national institutional capacity across all sectors remains a serious constraint, not least since most public institutions, at national and local levels, have had to be completely rebuilt after the conflict. This includes the national security agencies. I urge all international partners to continue to support Liberia during this crucial phase, especially with financial assistance for activities under the poverty reduction strategy framework. Given the close interlinkage between peace and development, it is important to ensure concurrent progress within all four pillars, particularly given the potential link between high youth unemployment and security.

64. Despite some progress, significant challenges still remain in meeting core security and rule of law benchmarks. The finalization of the Liberian National Police strategic plan is an important step forward, as it provides an overall framework for reform efforts, but the Government and its international partners must continue to work closely on implementation to ensure that major logistical constraints, training needs and operational challenges are adequately addressed. It is critically important, however, that support for police reforms is matched by commensurate progress in strengthening judicial and correctional institutions. National media and public opinion surveys consistently highlight law and order as a primary concern. This partly reflects a continued lack of public confidence in national security institutions and the criminal justice system, leading people to take justice into their own hands, frequently resulting in serious injury, death or property damage. The speed at which such attacks escalate is also a significant concern. The efforts to develop a comprehensive rule of law strategic plan are commendable, but enhanced progress is needed to alleviate the significant deficits remaining, in

particular the limited ability of courts to dispose their caseload. Likewise, challenges remain as regards the development of the national army, to ensure that it reaches full operational capability.

65. While the finalization of the first volume of the report of the Truth and Reconciliation Commission, which focuses on the root causes of the conflict, is a significant development, the Government and its partners must now take concrete action to implement the recommendations of the Commission. While gains have been made in the reconciliation process, worrying tensions remain between ethnic and regional groups that must be addressed urgently.

66. The preparations and conduct of presidential and legislative elections in 2011 will be a crucial test of the progress made in Liberia since the end of the conflict, including the capacity of the national security agencies and the rule of law system. I therefore encourage Liberia and its international partners to develop a comprehensive electoral plan, including the required financial and technical requirements, as soon as possible. It will also be important to ensure that critical preparatory steps, including the constitutional reform process, the strengthening of the National Elections Commission and the reform of the political party system, are undertaken by the Legislature well in advance.

67. The postponement of elections in Côte d'Ivoire and the recent military coup in Guinea have added to unpredictability in the subregion. Any negative trends in the security situation in these neighbouring countries will have a major impact on the situation in Liberia and its peacebuilding efforts. I am, however, encouraged by the growing cooperation within the Mano River Union and the Economic Community of West African States on security issues.

68. On the basis of the challenges outlined above, in particular the remaining challenges facing the security institutions of Liberia and the increased uncertainty regarding developments in the subregion, I recommend that no further adjustments to the UNMIL military and police components be made during the current mandate period. Subsequent adjustments may be possible during the third phase of the drawdown, which will begin in September 2009. However, a comprehensive technical assessment mission led by the Department of Peacekeeping Operations will need to be deployed to Liberia before the end of the current mandate period to develop more precise details regarding the next phase of the Mission drawdown and its eventual withdrawal. That assessment will be based on a review of the progress made towards the benchmarks developed for the Mission drawdown, and in close consultation with the Government of Liberia and international partners. Based on the findings of the assessment mission, I intend to provide further recommendations on the third phase of the Mission drawdown in my next report.

69. In conclusion, I would like to commend the people and Government of Liberia, my Special Representative, Ellen Margrethe Løj, and all UNMIL military, police and civilian personnel for the progress made in the country during the reporting period. The progress made on integration within the United Nations family in Liberia is encouraging. I would also like to thank all troop- and police-contributing countries, ECOWAS, the African Union, the International Contact Group on Liberia, United Nations agencies, funds and programmes, humanitarian organizations, multilateral and bilateral donors, and international and local non-government organizations for their important contributions and support to the peace consolidation process in Liberia.

Annex I

Benchmarks for drawdown phase of UNMIL (revised)**Benchmarks****Indicators of progress****Security^a****Armed Forces of Liberia (AFL)
operational**AFL equipment received and training on
equipment completed1st AFL battalion declares initial operational
capability (IOC) to company level1st AFL battalion conducts company level
exercises with UNMIL1st AFL battalion conducts battalion level
training exercises with UNMIL1st AFL battalion achieves full operational
capability2nd AFL battalion declares initial operational
capability (IOC) to company level2nd AFL battalion conducts company level
exercises with UNMIL2nd AFL battalion conducts battalion level
training exercises with UNMIL2nd AFL battalion achieves full operational
capabilityCombat support and combat service support
troops achieve initial operational capabilityCombat support and combat service support
troops conduct integration training with UNMILCombat support and combat service support
troops achieve full operational capability

Development of national defence strategy

**Liberian National Police (LNP)
operational**Nationwide implementation of administrative
and operating procedures completedPolice oversight body established and
operational500-member Emergency Response Unit (ERU)
operational

	Human resource improvements validated through certification of fitness by United Nations police (integrity and skill-based) in collaboration with LNP Inspector General of Police and Ministry of Justice
	Operational capacity improved through police infrastructure enhancement, logistics support and equipping LNP police facilities to ensure sustained LNP deployments and enhanced operational capacity
	Realignment of LNP security coverage, inter alia, through reinforcement of LNP personnel in identified high-threat areas
	Access to police service reaches citizens and communities, including access through community police forums across the country
	Follow-up mechanisms functioning to ensure implementation of core elements of LNP strategic plan
	National Police Training Academy operational with basic, specialized and leadership training provided
National security strategy and architecture operational	National security strategy and architecture designed and fully implemented
	Law passed by the Legislature ratifying the reformed national security architecture
	Security coordination mechanisms operational nationally and in each county
Security sector budgetary support enhanced	Government of Liberia progressively increases its annual budgetary allocation for security sector reform in national budget
Control and monitoring of movement across borders operational	Deactivation of non-qualified personnel from Bureau of Immigration and Naturalization completed
	Bureau of Immigration and Naturalization capacity increased through electronic tracking and monitoring of passengers at Roberts International Airport
	Trained officers present at 36 official international entry points and 36 outposts operational
Reintegration of ex-combatants	Rehabilitation and reintegration programme completed

**Effective State authority
throughout the territory of
Liberia**

Functioning local authorities and institutions
County administration operational nationwide

Economic revitalization^b

**Implementation of the
Governance and Economic
Management Assistance
Programme**

Public finance management and governance
reforms agreed with the International Monetary
Fund (IMF) under the staff monitored or
successor programme completed

Government spending limits observed in line
with the budget targets agreed with IMF

Transparent and accountable procedures for
granting concessions (as recommended by the
Economic Governance Steering Committee)
implemented

The Heavily Indebted Poor Countries
completion point reached

Revival of economic growth

Gross domestic product growth recovers in line
with poverty reduction strategy projections

**Strengthening State control for
management of natural
resources**

Rubber concessions renegotiated for major
plantations and regulatory policies in the rubber
plantation sector implemented

National forestry law implemented

Environmental Protection Agency operational
nationwide

Kimberley Process Certification Scheme
compliance functioning effectively and
monitored

Governance and rule of law^b

Justice sector reform

Pre-trial case review mechanism established
and operational

Law Reform Commission operational

Judicial Training Institute established and
operational

Accountability mechanisms established for
money paid or entrusted to courts

Legal advisory services available in each county

Legally qualified public defenders available in
each county

	Comprehensive review of the traditional court/justice systems completed and road map for implementation decided
	Increase in numbers of students graduating annually from the law school
	Development of implementation frameworks for rule of law strategic plans
	Significant increase in ability of courts to dispose their caseload on time and in accordance with the law, reducing the number of accused awaiting trial
Corrections reform	Deactivation of corrections staff: phase I: pensionable age staff (65 years) or 25 years of service; phase II: staff failing a written exam
	Proposals for changes in penal law with respect to corrections submitted to the Government of Liberia
	Amended penal law approved by the Legislature
	500 staff trained and deployed
	Operational correctional facilities in every county
Promotion and protection of human rights	Truth and Reconciliation Commission submits report to legislature, fulfilling mandate
	Independent National Commission on Human Rights functioning
	National human rights action plan developed and implementation started
Reconciliation progressing	Nationwide conflict management processes and training to address long-standing social divides
	Community-based recovery and reintegration programmes available for unemployed youth in high security-risk areas
	Strengthened political party system
	Enhanced legislative capacity to review and pass laws
Conduct of free and fair presidential and legislative elections	Adoption by the Legislature of all relevant laws to create the legal framework for the conduct of elections
	National Elections Commission fully operational to conduct elections
	Conduct of free and fair elections

Constitutional reform	Draft bills to amend provisions of the Constitution submitted to the Legislature
	Legislature adopts new provisions to amend the Constitution
	Referendum held on amended provisions of the Constitution
Anti-corruption strategy	Anti-Corruption Commission established and operational
	Implementation of recommendations from the reports of the General Audit Commission
Civil Service reform	Public Service Code of Conduct in place
	100 positions filled under the Senior Executive Service
	Civil Service strength right-sized and service conditions improved
Infrastructure and basic services^b	
Rehabilitation of transport network	Main strategic routes repaired and maintained
	Steps taken to become compliant with the International Ship and Port Facility Security Code
Health services expanded	Minimum health package expanded and provided by 70 per cent of health facilities
	Enhanced and equipped services provided by the 354 existing functional health facilities
	Increase in skilled health workers deployed nationwide by 40 per cent
Access to quality education	Renovation of 33 primary and 6 secondary schools; new construction of 37 primary and 4 secondary schools nationwide
	Increased school enrolment and completion rate of 5 per cent annually, particularly of girls, nationwide
	Number of qualified teachers in schools increased by 10 per cent annually

^a Core benchmarks.

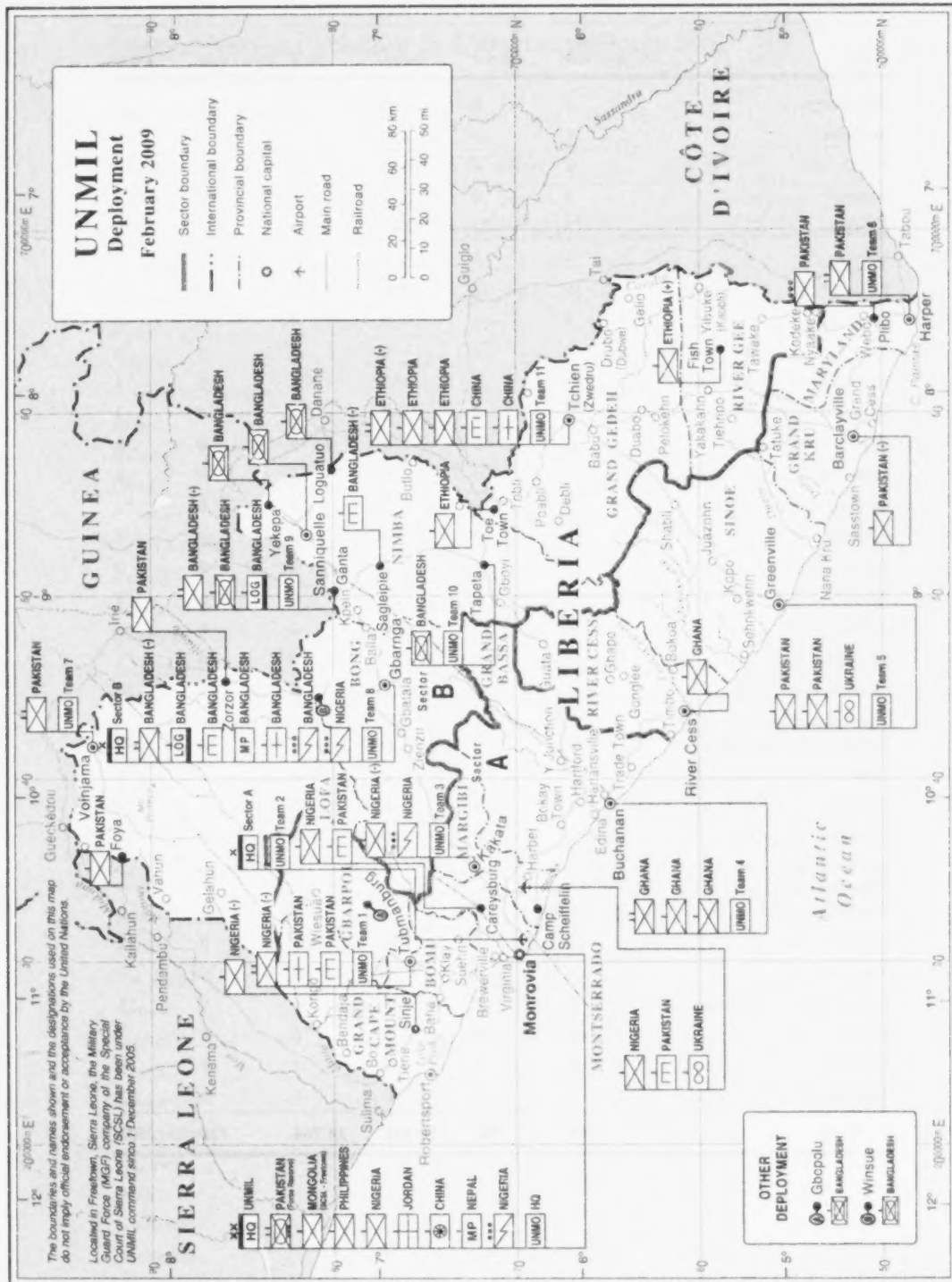
^b Contextual benchmarks.

Annex II

**United Nations Mission in Liberia: military and police strength
(as at 2 February 2009)**

<i>Component</i>	<i>Military</i>			<i>Police</i>		
	<i>Military observers</i>	<i>Staff officers</i>	<i>Troops</i>	<i>Total</i>	<i>Formed police units</i>	<i>Civilian police</i>
Argentina	0	0	0	0	0	6
Bangladesh	11	9	2 376	2 396	0	17
Benin	3	1	0	4	0	0
Bolivia	2	1	0	3	0	0
Bosnia-Herzegovina	0	0	0	0	0	11
Brazil	0	3	0	3	0	0
Bulgaria	2	0	0	2	0	0
China	2	5	558	565	0	20
Croatia	0	4	0	4	0	0
Czech Republic	0	0	0	0	0	5
Denmark	2	0	0	2	0	0
Ecuador	2	1	0	3	0	0
El Salvador	3	0	0	3	0	5
Ethiopia	19	6	975	1 000	0	0
Egypt	8	0	0	8	0	4
Fiji	0	0	0	0	0	30
Finland	0	2	0	2	0	0
France	0	1	0	1	0	0
Gambia	2	0	0	2	0	19
Germany	0	0	0	0	0	5
Ghana	12	6	699	717	0	44
Iceland	0	0	0	0	0	2
India	0	0	0	0	122	0
Indonesia	1	0	0	1	0	0
Jamaica	0	0	0	0	0	1
Jordan	4	7	115	126	240	19
Kenya	0	2	0	2	0	21
Korea	1	1	0	2	0	0
Kyrgyzstan	4	0	0	4	0	4
Malawi	0	0	0	0	0	5
Mali	5	0	0	5	0	0
Malaysia	10	0	0	10	0	0
Mongolia	0	2	248	250	0	0

<i>Component</i>	<i>Military</i>			<i>Police</i>		
	<i>Military observers</i>	<i>Staff officers</i>	<i>Troops</i>	<i>Total</i>	<i>Formed police units</i>	<i>Civilian police</i>
Montenegro	2	0	0	2	0	0
Namibia	1	4	0	5	0	6
Nepal	2	4	40	46	240	16
Niger	3	0	0	3	0	0
Nigeria	17	13	1 645	1 675	120	37
Norway	0	0	0	0	0	10
Pakistan	15	12	3 369	3 396	0	22
Paraguay	3	1	0	4	0	0
Peru	2	2	0	4	0	0
Philippines	3	5	163	171	0	7
Poland	2	0	0	2	0	3
Republic of Moldova	3	0	0	3	0	0
Romania	3	0	0	3	0	0
Russian Federation	5	0	0	5	0	12
Rwanda	0	0	0	0	0	5
Samoa	0	0	0	0	0	0
Senegal	1	3	0	4	0	0
Serbia	6	0	0	6	0	6
Sri Lanka	0	0	0	0	0	8
Sweden	0	0	0	0	0	20
The former Yugoslav Republic of Macedonia	0	0	0	0	0	0
Togo	1	1	0	2	0	0
Turkey	0	0	0	0	0	30
Uganda	0	0	0	0	0	15
United Kingdom of Great Britain and Northern Ireland	0	2	0	2	0	0
Ukraine	1	2	300	303	0	12
Uruguay	0	0	0	0	0	4
United States of America	4	4	0	8	0	15
Yemen	0	0	0	0	0	7
Zambia	0	0	3	3	0	18
Zimbabwe	2	0	0	2	0	32
Total	169	104	10 491	10 764	722	503





Security Council

Distr.: General
2 February 2009

Original: English

Identical letters dated 2 January 2009 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to announce that the Government of Pakistan wishes to see the following items retained in the list of matters of which the Security Council is seized:

- (a) The India-Pakistan question;
- (b) The Hyderabad question;
- (c) The situation in the India/Pakistan subcontinent.

I would be grateful if you could have the present letter circulated as a document of the Security Council.

(Signed) Abdullah Hussain Haroon
Ambassador
Permanent Representative





Security Council

Distr.: General
23 February 2009

Original: English

Identical letters dated 2 January 2009 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to notify that the Government of Pakistan would like to see the following items retained on the list of matters of which the Security Council is seized:

- The India-Pakistan question
- The Hyderabad question
- The situation in the India/Pakistan subcontinent

I would be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Abdullah Hussain Haroon
Ambassador
Permanent Representative

* Reissued for technical reasons.



Security Council

Distr.: General
13 February 2009

Original: English

Draft resolution

The Security Council,

Recalling its previous resolutions, including resolutions 1808 (2008) of 15 April 2008 and 1839 (2008) of 9 October 2008,

Considering the report of the Secretary-General of 4 February 2009 (S/2009/69),

Welcoming the six-point agreement of 12 August 2008, and subsequent implementing measures of 8 September 2008,

Taking note of the Geneva discussions commenced on 15 October 2008 and encouraging the participants to reach practical results,

Underlining the importance of the peaceful resolution of disputes,

1. *Recalls* the arrangements entered into under the agreements of 12 August 2008 and of 8 September 2008;

2. *Calls for* the provisions that were set out in paragraph 2 (a) of the Agreement on a Cease-fire and Separation of Forces signed in Moscow on 14 May 1994 (S/1994/583) to be respected, pending consultations and agreement on a revised security regime, *taking note of* the recommendations on the security regime contained in the report of the Secretary-General of 4 February 2009;

3. *Underlines* the need to refrain from the use of force or from any act of ethnic discrimination against persons, groups of persons or institutions, and to ensure, without distinction, the security of persons, the right of persons to freedom of movement and the protection of the property of refugees and displaced persons;

4. *Calls for* facilitating, and refraining from placing any impediment to, humanitarian assistance to persons affected by the conflict, including refugees and internally displaced persons, and *further calls for* facilitating their voluntary, safe, dignified and unhindered return;

5. *Calls for* the intensification of efforts to address the issue of regional security and stability, and the issue of refugees and internally displaced persons, through the discussions currently under way in Geneva, and *requests* the Secretary-General, through his Special Representative, to continue to fully support this process, and to report on progress thereon;

6. *Requests* the Secretary-General to report to the Council on the implementation of this resolution, and on the situation on the ground and the



activities of the United Nations mission, including recommendations on future activities by 15 May 2009;

7. *Expresses* its intention to outline the elements of a future United Nations presence in the region by 15 June 2009, taking into account the recommendations to be contained in the report of the Secretary-General referred to in paragraph 6, the Geneva discussions and developments on the ground;

8. *Decides* to extend the mandate of the United Nations mission for a new period terminating on 15 June 2009;

9. *Decides* to remain actively seized of the matter.



Security Council

Distr.: General
12 February 2009
English
Original: Arabic

Letter dated 9 February 2009 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to request that the item entitled "Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council (S/10409)" relating to the question of the occupation by the Islamic Republic of Iran of the Greater Tunb, the Lesser Tunb and Abu Musa, three islands belonging to the United Arab Emirates, should be retained on the list of items of which the Security Council is seized for the year 2009 and until such time as the dispute is resolved by peaceful means through direct negotiations or through the International Court of Justice, thereby ensuring a just, comprehensive and lasting settlement of the issue and achieving peace, security and regional and international stability.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Ahmed Abdulrahman Al-Jarman
Ambassador and Permanent Representative



**Security Council**

Distr.: General
12 February 2009

Original: English

Identical letters dated 12 February 2009 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to write to you in reference to document S/2009/10 dated 30 January 2009 concerning matters of which the Security Council is seized and the stage reached in their consideration. On instruction from my Government, I have the honour to inform you that the Syrian Arab Republic requests the retention of the following items listed in paragraph 3 of the above-mentioned document:

60. The Palestine question.
69. Arrangements for the proposed Peace Conference on the Middle East.
70. The Middle East problem, including the Palestinian question.
71. The situation in the occupied Arab territories.
72. The question of the exercise by the Palestinian people of its inalienable rights.
75. Letter dated 4 February 1986 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/17787).
76. Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/17993).
91. Letter dated 5 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/939).

I take this opportunity to reaffirm the position of the Syrian Arab Republic set out in its note dated 9 February 1998 (S/1998/111, annex) addressed to the President of the Security Council.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Bashar Ja'afari
Ambassador
Permanent Representative





Security Council

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13 February 2009

Original: English

Letter dated 11 February 2009 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to submit herewith a letter addressed to you by Mr. Manouchehr Mottaki, Minister for Foreign Affairs of the Islamic Republic of Iran, on the four Iranian diplomats who were abducted by the Israeli regime in Lebanon in 1982 (see annex).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad Khazaei
Ambassador
Permanent Representative



**Annex to the letter dated 11 February 2009 from the
Permanent Representative of the Islamic Republic of Iran
to the United Nations addressed to the Secretary-General**

2 February 2009

I have the pleasure to write to you with reference to your report of 18 November 2008 on resolution 1701 (2006) (S/2008/715), in which the need to investigate the case of four Iranian diplomats, namely, Mr. Seyyed Mohsen Mousavi (Chargé d'affaires), Mr. Ahmad Motevaselian (Military Attaché), Mr. Taghi Rastegar Moghadam (a staff member of the Embassy), and Mr. Kazem Akhavan (from the Islamic Republic News Agency), who were abducted in Lebanon in 1982, was highlighted.

I wish to welcome the readiness of the United Nations to help in addressing this issue, which is of great humanitarian significance. The Permanent Mission of the Islamic Republic of Iran to the United Nations has already sent a letter to you on 9 July 2008 (A/62/899-S/2008/448) presenting information on the date and other details regarding the circumstances surrounding the abduction of the above-mentioned Iranian nationals, including on the perpetrators who were involved.

This abduction is undoubtedly a clear violation of the basic principles of international law and the Charter of the United Nations, and contravenes the provisions of the Vienna Conventions on Diplomatic and Consular Relations and the Geneva Conventions of 1949. Moreover, this criminal act that has inflicted enormous pain and agony on the abductees' families, who have long been suffering in anguish and disillusionment, constitutes a flagrant violation of international humanitarian and human rights law.

In the light of the above, and given the expression of readiness by the United Nations, as mentioned in your report of 18 November 2008, to play a more active role in addressing this issue, I wish to request that a special commission be established by the Secretary-General of the United Nations to investigate the case of the abducted Iranian diplomats and to determine their fate. The Government of the Islamic Republic of Iran stands ready to extend its full cooperation to you in this regard and to the proposed special commission.

(Signed) Manouchehr Mottaki
Minister for Foreign Affairs



Security Council

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13 February 2009

Original: English

Letter dated 12 February 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the President of the Security Council

I have the honour to refer to the summary statement on matters of which the Security Council is seized and on the stage reached in their consideration.

I should like to notify you that the Government of the State of Kuwait wishes to see the following item retained on the list of matters of which the Security Council is seized:

The situation between Iraq and Kuwait

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Khalaf Bu Dhhair
Chargé d'affaires a.i.





Security Council

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13 February 2009

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Letter dated 13 February 2009 from the Secretary-General to the President of the Security Council

I have the honour to refer to Security Council resolution 1857 (2008) concerning the Democratic Republic of the Congo, by which the Council requested that I extend, for a period expiring on 30 November 2009, the Group of Experts established pursuant to resolution 1771 (2007).

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, I have appointed the following experts:

Raymond Debelle, Belgium (regional expert)
Christian B. Dietrich, United States of America (aviation)
Claudio Gramizzi, Italy (arms)

Mouctar Kokouma Diallo (Guinea) will continue to serve as the expert on customs. Dinesh Mahtani (United Kingdom of Great Britain and Northern Ireland) will continue to serve as the finance expert. I have also selected Mr. Mahtani to serve as the Coordinator of the Group of Experts.

I would be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Ban Ki-moon

